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Human rights situations that require the Council's attention

Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran: comments by the State*,**

Note by the Secretariat

In its resolution 34/23, the Human Rights Council requested the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran to submit a report on the implementation of the mandate to the Council at its thirty-seventh session.

The Special Rapporteur passed away on 11 February 2018, before she had the opportunity to consider the comments submitted by the Government of the Islamic Republic of Iran on the report that the Special Rapporteur shared with it (A/HRC/37/68). On 26 February 2018, the Council agreed that the report of the mandate holder should be submitted to the Council in accordance with its resolution 34/23, together with the comments of the State concerned on the report. It was also agreed that the report would be transmitted to the Council by the Chair of the Coordination Committee of Special Procedures and that the Council would hold a discussion on the report on 12 March 2018 in place of the interactive dialogue originally scheduled for that day. The Chair of the Coordination Committee would then take note of the comments made by delegations during the discussion.

In accordance with the decision of the Human Rights Council, the Coordination Committee of Special Procedures transmitted the report that the Special Rapporteur shared with the Government of the Islamic Republic of Iran to the Human Rights Council. Accordingly, the Secretariat has the honour to transmit to the Council the comments by the State on the above-mentioned report.

* Some names of the individuals identified in the comments provided by the State have been rendered anonymous or otherwise unidentifiable by the Secretariat. The comments are otherwise reproduced as received, in the language of submission only.

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Reply to the report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran to be presented at the thirty-seventh Human Rights Council (March 2018)

Considering the passing away of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, we avail ourselves with this opportunity to express our sympathy with her family.

Reply to paragraph 1

The picture presented by the Draft Report on the situation of human rights in the Islamic Republic of Iran, and the progress made in this area, has been dramatically distorted and worrying; at least as regards the references made, in this paragraph, to the recognized developments.

The serious will of the Islamic Republic of Iran to promote human rights, to remedy the shortcomings, and to safeguard its achievements over the past 40 years has led the Government to consistently provide, in all possible ways, opportunities for reviewing laws, approaches and their enforcement. In this direction, a recent review of the anti-narcotics law is noteworthy.Following theoretical challenges among the administration and experts on the effectiveness of the current drug law, the views of the representatives of the nation (in the Parliament) drew attentions to the importance of reviewing the relevant law and diversity in the new ways of combating this social scourge.In the light of support by the Governmental and non-governmental sectors, ~~and~~ eventually the new law was adopted by the majority of the people's representatives in the Parliament, and ultimately was ratified by the Guardian Council and finally announced by the President. According to this law, the death penalty for some drug traffickers will be eliminated, and they will be sentenced to one to thirty years of imprisonment and a fine. With the reform of the anti Narcotics Act, a significant number of prisoners are released from execution and their sentence is changed to prison. In addition, this law is retrospective. Various other changes and reforms have also taken place in the pursuit of justice and the provision of more criminals' rights over the past few years, including the revision of the Islamic Penal Code and the Criminal Procedure Code, as well as the other items acknowledged in this Draft. At the beginning of the present report, rather than welcoming the fundamental changes, and its impact on a large part of the definitive drug convictions, has raised incorrect and irresponsible statements regarding the human rights situation in Iran, which can be construed as signs of prejudice and deviation neutrality. It was desirable that such a major legal change in the laws of the country, which has led to a significant reduction in the implementation of the penalties for this category of offenders, to be welcomed in this Draft Report.

Reply to paragraphs 3-5

In the subject matter referred to in this paragraph, it is necessary first to emphasize that in the Islamic Republic of Iran, in accordance with the Constitution and other laws, the right to hold meetings and even protests are guaranteed; but it is necessary to refer to the emergence of a new pattern created by certain powers to undermine democratic systems opposed to Western politics. This formula deserves to be called the "democracy weakening Model". This model only works in countries with a democratic system that does not politically meet with the interests of the United States and which have created opportunities for free demonstrations, in law and practice. In such a situation, the makers of democracy weakening model are coming in with the following features: allocating funds and planning to create turbulent movements and turning of social and peaceful movements to political and violent moves, creating turmoil and exploiting high level political support of rioters and widespread media activity against that state to undermine the democratic institutions in that country, and the attempt to change social movements and ordinary dissatisfaction with changing the political system. Unfortunately, this pattern has been repeated in several parts of the world, including Latin America, Eastern Europe, the Caucasus, and most recently, with failure, in Iran. Due to the anti human rights nature of such acts and their role in systematically undermining democracy, this trend needs to be seriously taken into consideration by international human rights mechanisms. The Special Procedures mechanism is no exception to this and it is necessary expected to fulfill its intrinsic duty in support of democracies in developing countries.

It should be reminded that in January 2018, the Islamic Republic of Iran officially replied the urgent appel of the Special procedures, and in practice indicated that the management of the unrest was carried out with tolerance and while there were ill-intended plans by some foreign interventions, to deepen the turmoil and increase casualties, legal standards were observed and the incident ended with the lowest human casualties. The right of protest is recognized and guaranteed in the Constitution of the Islamic Republic of Iran. Article 27 of the Constitution recognizes the establishment of gatherings and marches without carrying weapons, provided that they are not detrimental to the principles of Islam. It should be noted that, with the exception of a few limited days of turbulence, when social networks were exploited by organized abusers, immediately after the end of the unrest, all people had access to social networks. According to existing information, access to the Internet and mobile has been possible over the past days."

In gatherings that took place in the past days with the guild goals, unfortunately, some people intended to misuse the and to take action, which was the target of orchestrators from outside the country. Fortunately, the Iranian people separated themselves from these people. As noted in the previous paragraphs, some hostile mal-wishers from outside the country had planned to take actions which would destroy the private assets of people and state property. These people and their followers sought goals other than livelihood issues of people. A large number of individuals who took such actions were identified and prosecuted. The arrested individuals were further found to have no livelihood concerns and their leaders and the main elements were referred to the judiciary. Many of them who were deceived by the emotions of their young age, were released upon completion of the required procedures. During these incidents, police officers resorted to their authority, rationality, intelligence and their past continuous trainings and restraint, encountered these people and struggled to protect the security, the lives, the wealth and honor of people. Therefore, the information provided in this paragraph is incorrect and should be deleted from the final report.

Reply to paragraph 6

Following the repeated emphasis made by the Islamic Republic of Iran on the importance of the unilateral sanctions imposed by some countries against the Iranian government and people, and the gross violation of human rights by preventing people from enjoying their rights, in particular economic rights, including development, welfare, access to certain medical drugs, and the like this report has raised the issue very late, which we take a vigilant note.

Reply to Paragraph 7

Although a number of sources have been included in the Draft Report as a basis for its preparation, but with careful consideration of the Draft Report, it is noted that, in some cases, it has not mentioned its sources and documentation or it merely includes allegations or statements cited exclusively by a non impartial source (such as those in Paragraphs 12, 22, 23, 27, 33, 35, 37, 38,39, 54, 56, 57, 59, 61, 69, 70, 75, 76, 77); and also the Draft has cited numerous statements and press releases of Special Procedures mechanism and those of the Office of the High Commissioner, many of which have already been adequately addressed by the Islamic Republic of Iran; and accordingly, it is highly expected that before finalization of the present Draft, the response submitted by the Islamic Republic of Iran to the issues in question, to be sufficiently taken into consideration and account. In addition, the presentation of unrealistic statistics, such as the allegations raised in Paragraphs 13, 19, 21, 23, 25, 31, 33, 72 of the introduction, suggests a lack of required precision in the insertion of materials, which needs to be amended.

Unfortunately, the draft in many respects repeats baseless allegations; it also uses non-biased sources and does not use the written and verbal information provided in the meetings. In addition, the prejudice and the use of negative literature, even against the progress made, indicate the bias in the report and its departure from neutrality, which is clearly in conflict with resolution 5.2 on the subject of the duties of mandate holders. This situation reduces the value of the report and the ability to cite it seriously.

In the appendix to the present draft, there are a number of cases in the judicial records of individuals who lack information or whose cases have not been finalized with a prior judgment, and according to which a draft is intended to illustrate the human rights situation in Iran, while in accordance with international standards, until the internal mechanism is fully implemented, the case cannot be commented upon.

In the last year's reply to the draft report of the Rapporteur, several cases (50 cases) were unfounded, and according to the information provided, the Islamic Republic of Iran has

requested the removal or modification of them; unfortunately, despite the clearance of the subject, the appropriate action was not taken by the Rapporteur and only in very few cases Iran's reactions to the draft were reflected in the Final Report, which was seriously criticized.

Reply to paragraphs 8 and 9

Despite the fact that the appointment of the Special Rapporteur for Iran was unnecessary, meaningless and harmful, but in line with the United Nations human rights system and in order to correct the Rapporteur's approach and to set up a report based on reliable information, the Government of Iran continued its cooperation and interaction with the Special Rapporteur.
The Islamic Republic of Iran has taken a serious decision to cooperate with international mechanisms, including the Special Procedures mechanism, including in the form of responding to communications, and it has tried, within a limited time, to provide sufficient information on requested cases, upon receiving responses from competent authorities. Inserting the statistics 7 responses from 9 communications, in the current report of the Rapporteur, indicates about 77% of the responses, and Iran's constructive and expanding cooperation with the Rapporteur and other mandate holders of the Special Procedures.

Reply to Paragraph 10

Despite the fact that the Islamic Republic of Iran considers appointment of the Special Rapporteur unnecessary, meaningless and harmful , but in line with the United Nations human rights system and in order to correct the Rapporteur's approach and to set up a report based on reliable information, the Government of Iran has continually provided detailed replies and the representatives of the Islamic Republic of Iran and other relevant authorities, in the past, have had meetings with the Rapporteur, and this interaction has continued, as Madame Rapporteur has mentioned.

Reply to paragraph 11

Since the President of the country is responsible for implementation of the Constitution and the safeguarding, protection and support of freedom, the respect for the rights and freedoms of the people, he has proclaimed the "Citizens' Rights Bill" as a government policy to respect and promote the fundamental rights of the Iranian nation. The purpose of this Charter is based on the aim of promoting citizenship rights and developing a "government plan and policy", subject to Article 134 of the Constitution, and includes a set of citizenship rights that have been identified either in the sources of the Iranian legal system or the government shall take any necessary legal action to identify and implement them. The welcome expressed by the Draft Report of the Charter of Civil Rights and the efforts of the 11th and 12th government is positively evaluated and welcome and emphasized by the will of the twelfth government toward further implementation of this Charter.

Reply to Paragraph 12

In this paragraph, instead of proposing objectives of the Report, it has taken a hasty judgment and, thereby, deprived the opportunity for an impartial assessment and analysis in the continuation of the draft report. In such a case, the introduction becomes the final conclusion and compilation which is contrary to an expected structure of a balanced and fair report. In particular, instead of focusing on such issues as: advancement in various areas related to women, health, the need to combat the massive drug trafficking and related serious crimes, increase the professional activity of journalists and the media, promotion of the status of ethnical and religious minorities, the diversity of civil society activities and NGO organizations in Iran, as well as the gravity of the damaging effects of unilateral and illegal sanctions of some countries on the human rights of the Iranian people, inaccurate criticisms are raised this paragraph, which have prepared the ground for the report to present a distorted picture of the situation of human rights in Iran. Thus, this paragraph is needed to be deleted.

Reply to paragraph 13

As it was mentioned, unfortunately, in this paragraph, a number of incorrect statistics are mentioned that need to be amended. The process of reduction of more than 50 percent of executions over the past two years, according to the acclamation of this paragraph, is very

significant and outstanding. On the other hand, the statistics of executions of minorities are completely misleading, distorted and inaccurate; Because if the intention is that among the executed drug related offenders and the deliberate murders, there have been a number of individuals belonging to some ethnic groups or religious minorities, this separation is incorrect and with malicious purposes; where according to the principle 19 of the Constitution, the people of Iran of all tribes and ethnicities, have equal rights, and each punishment is determined according to the law and in proportion of the crime; and if it is intended to claim that individuals, only because of belonging to ethnic groups or a minority religious schools of thought have been sentenced to death, it is a false statement and allegation and also there is no documentation and evidence provided in this draft report.

Reply to Paragraph 14

In the Islamic Republic of Iran, the death penalty is intended only for the most serious crimes. The most serious crimes, include mass trafficking in narcotics, which are treated with a special sensitivity in the courts at the presence of the prosecutor's representative, the accused and his lawyer. The cases are investigated, and will be vetted by convening the hearings and during fair trial proceedings. The formalization of hearings in such crimes requires the presence of a lawyer, and a meeting without a lawyer has no legal effect, and the decision made and the ruling issued by the Supreme Court is void

The legislator has stipulated in Article 32 of the Law on Amendments to the Law on Combating Narcotics, adopted in 1997: the death sentences issued in accordance with this law, after the approval of the Chief Justice of the Supreme Court or the Attorney General of the country, recognizes the definitive and necessary. In addition, it has improved the accuracy of these sentences, which, if the ruling is considered by any of these officials to be contrary to the legal and legal regulations, these authorities have the right to appeal and violate it, as a result of which the full respect of the rights of the accused is committed. The new Criminal Procedure Code also provides for the two stages of the investigation of drug offenses, and a revision of the cases leading to the death penalty in the Supreme Court is required.

Regarding the legality of the death penalty in Iran and the multi-stage proceedings with due observance of the principles of justice, so far no international authority has ever made a claim on non-observance of legal standards in dealing with drug offenses or certain individuals who have been punished; Special Rapporteurs have been requested, many times, to provide the Islamic Republic of Iran with verified information, but unfortunately, there are no positive reaction has been received.

Reply to paragraphs 15 to 17

While welcoming the attention of the Special Rapporteur to the legislative and executive developments regarding drug-related crimes, it should be noted that the amended law, by changing the weight of various types of drugs, includes a significant number of convicts, who are covered by the conditions set forth in the law. The new amendment is retrospective and as it is stated in the Draft, no death penalty has been executed for convicts under this law.

In the case of foreign nationals, in order to implement the directive of the head of the judiciary and after arrest of foreign nationals, the Directorate General of International Affairs of the Judiciary informs the embassy of the country of the accused individual, through the relevant section of the Ministry of Foreign Affairs of the Islamic Republic of Iran for appointing of a lawyer and the required legal proceedings. If the lawyer is not introduced by the individual's embassy, the relevant court is required to appoint a lawyer for the defendant. If the above provisions are not complied with in the case, the judgment given in the Supreme Court shall be void. It should be noted that there is no difference between subjects of different countries in the legal stipulations, in respect of the rights of foreign nationals; and in terms of the need to observe the principles of the procedure, including the right to a lawyer. Although, in the case of foreign nationals, in the form of a request for official representation of their country in Iran, in some cases extra assistance is provided. Therefore, it is necessary to correct this paragraph accordingly.

Article 6 of the Covenant on the Issuance and Execution of Death Penalty for Heavy Crimes is generally permitted by law. Countries also pay attention to the general interpretation of the Human Rights Committee on the definition of heavy crimes or the statements of some international officials in this regard, and seek to find a solution to deal seriously with the tragic phenomenon of drug trafficking and its adverse effects. The will of several countries to

continue the death penalty for serious drug traffickers and to regard it as serious crimes indicates the absence of effective alternatives and deterrences (to a large extent) of the punishment and the need to prevent the conversion of drug trafficking as a legitimate profession with high income, which was discussed in detail in previous sections.

Regarding the necessity applying the death penalty for some drug offenders, it should be noted that due to the long eastern border of the Islamic Republic of Iran with the neighboring countries and the seperation of legal and police responsibilities, the legal confrontation with drug traffickers are carried out in several provinces. Traffickers usually carry drugs in large volumes and in most cases they use heavy weapons, such as shotguns, RPG guns and mortar 60, against the Iranian border guards. The following information reveals statistics of police performance in material discovery and statistics on clashes with armed gangs and smugglers. So, given the wide range of smugglers' actions, the use of capital punishment for serious offenders is expected.

According to the deputy head of the Anti -Narcotics Headquarters, sixty-nine drug smugglers were killed last year, 94,000 smugglers and 26,000 drug addicts were arrested, 694 armed operations were carried out in this regard, and 87 industrial drug manufacturing units were dismantled. According to the source, six police officers were martyred and 16 were wounded. Also, last year, two million and 465,000 pills and opiate ampoules were discovered, which indicates an 11 percent raise from the same period last year. Most of the drug discoveries during this period were in Kerman province and the least in Kish Island and also 370 weapons were discovered.

In addition to police operations, 251 thousand and 136 individuals have attended courses of life skills, child raising styles and drug abuse prevention, which has increased by more than 30%, compared to the same period last year. In the first three months of the year 2014, 4211 individuals were admitted to 17 centers, in accordance with Article 16, for the maintenance, treatment and reduction of drug addicts' harm. According to the approval by the social council of the country, 10% of the cultural credits of the municipalities of cities over 500 thousand population, has been allocated to the programs of prevention of addiction. Also, due to the lack of statistics of addicted infants in the country and the identification of 51 drug sale sites, the collection of street addicted women in the capital was also continued. Last year, the Headquarters managed to cover preventive education for 8% of the Ministry of Education's educational centers and seeks to integrate preventive education in partnership with UNODC, even starting from pre-school education.

Note: A large number of documents and investigations in the area of drug offenses in the country have been made and are available on request, including the website of www.dchq.ir Drug Counter-Narcotics Research and Training Office.

Reply to Paragraphs 18-19

As for the cases on the implementation of death penalty for offenders under the age of 18, the Islamic Republic of Iran, according to Islamic and human considerations, applies considerable flexibility to offenders under the age of 18, including the requirement for examination of the cases in special courts and the use of alternative punishments. Only in the case of murder cases, the perpetrators under the age of 18 are tried in the "Penal Court" court with three judges. According to law and the Islamic canon law, the punishment for the murderous crime is "Qisas" (retaliation). The duty of the State in this case is merely to examine and deliberate the murder, and execution of the sentence is only possible on the basis of the request of the owners of the blood.

On the basis of the current practice, even after the court verdicts are finalized and endorsed by the Supreme Court, extensive efforts are made by the "Reconciliation Commission" to satisfy the requirements of the owners of the blood and convert the Qisas (retaliation) to "Diyeh" (blood money).Over the past few years, a considerable number of offenders have been released from the retaliation punishment. The principled policy of the Islamic Republic of Iran in this regard is to encourage compromise, even with provision of cash assistance to realize the payment of the Diyeh, and this is the prevailing trend and the main course of dealing with this group of offenders.

Among the actions of the judiciary was the establishment of a new task force on "Prevention of Deprivation of Life". This workshop is a subcommittee of the Executive Committee on the Protection of the Rights of Children and Adolescents in the General Justice Department of the Province of Tehran, which has now extended to all provinces of the country. The purpose of

this group is to create peace and reconciliation and not to execute the reprisal. Even during the trial, the group can attempt for obtaining compromise and take consent from the owners of the blood. The members of this working group are: Representative of the National Authority for the Rights of the Child, psychologist of the Correctional Center, social worker of the Correctional Center, director of the Correction Center, lawyer for children and adolescents, Secretary of the Executive Committee for the Protection of the Rights of Children and Adolescents, and the sponsor of financial support. Other members of the committee are artists, members of non-governmental organizations, children's experts and charities, are invited in an honorary basis.

According to Articles 88 and 89 of the Islamic Penal Code, the court has foreseen one of the five arbitrary decisions, provided for in Article 88, on criminal penalties (less than executions) of persons who are at the time of committing a crime of between 9 and 15 years of age. Penalties have become a securing and educating measure, and in Article 89, for people between 15 and 18 years of age, criminal penalties (less than executions) have been deducted and have been subject to light punishments such as retention in rehabilitation center or light imprisonment or cash fines. Even under Article 91 of the law, in crimes of a high degree or reprisal, if the persons under the age of eighteen years do not understand the nature of the crime or if there is any doubt on their maturity, due to their age, they will be sentenced to the stipulated punishments. "These developments are new in the Iranian judiciary in order to maximally respect the rights and justice of offenders under the age of 18. Special requirements in different sections and customs of different ethnicities have also been taken into consideration. It should be mentioned that the provisions of the Islamic Penal Code have been effective in reducing the execution of persons under the age of 18, and, as noted, only cases of retaliation that do not result in compromise, despite attempts for reconciliation, may lead to the execution of punishment.

Also, according to the unanimity (precedence) rule of the Supreme Court No. 737, the request for retrial of the convicts who have been under the age of 18, at the time of committing a crime, and their final verdict has been already issued, it is worth mentioning that sentences of retribution for those people whose conviction were issued prior to the entry into force of the Islamic Penal Code approved on February 1, 2013, if they request to be included in the conditions provided for in Article 91 of this law, the conversion and change of punishment in the manner specified in this Article shall be applied and the convict shall have a more favorable sanction and punishment. Such a request may be made in accordance with Para. 7 of Article 272 of the Law on litigation procedure for retrial.

In connection with the alleged execution of a prisoner at the age of 21 in July 2017 on charges of committing a crime at the age of 13, the matter was brought to the attention of the relevant authorities, which stated in response that a person named [redacted], was charged with smuggling into the country of the amount of five hundred and seventy kilogram of opium as well as eighteen kilograms and two hundred grams and a hundred and thirty centimeters of heroin was arrested and after being tried by law, the court of the city of Sarbaz has sentenced to death, and the verdict issued by the Attorney General of the country is confirmed. According to the case record, he was more than 18 years of age, and any allegation otherwise on his age, is incorrect. Therefore, it is necessary to amend this paragraph in the final report.

In connection with the subject of the convict **Mr. Alireza Tajik**, according to the existing records, the missing of a 16-year-old boy by the name of [redacted] and the subsequent discovery of his dead body in one of the water wells, by the police, near the Gerdsar village of Fasa County, the case was investigated by the police and subsequently Alireza Tajik was arrested as the suspect of the murder. By completing this process, the criminal case was set up at the Prosecutor's Office and, upon completion of the investigation, it was sent to the court. Ultimately, upon exhaustion of all the legal requirements and procedure, the court condemned him with the crime of sodomy, murder and concealment of the body in the well and sentenced him to Qisas (retribution in kind). Finally, the case was brought before the Supreme Court and it was upheld..

According to the court of Fars province, "in accordance with the order of the chief justice of this province the prosecutor of Shiraz ordered to stop the execution of the retaliation order until further notice for more investigation of the matter; while, by examining the case. The Supreme Court sent back the lawsuit issued by Branch 4 of the Penal Court of Fars province, on the basis of lack of complying with Article 91 of the Islamic Penal Code on April 14, 2014 and ordered re-examination of the case by the same branch. Branch 4 of the Fars penal court, after

the holding sessions and investigation of the defendant and the obtaining the expert view of the forensic commission and the examination of the mind maturity of accused and that he was aware of the gravity of the crime he had committed, the verdict was submitted to Branch 11 of the Supreme Court of the country and the Head of the Supreme Court further confirmed the verdict and dispatched it to Shiraz judiciary department for execution. So far, two hearings have been held at the Penal Courts of the Province and one meeting has been held in the execution of criminal sentences department for peace and reconciliation. But in terms of the type of the crime against the victim (sodomy and murder with a knife and then suffocation with a rope and throwing the dead body in the water well), the owners of the blood did not accept compromise and insisted on executing the sentence. According to the provided information, the transparency of the proceedings and the observance of all legal requirements in the issuance and execution of the verdict are well noticed and confirmed.

A fair hearing of **Mr. Amir Hossein Pour-Jafar's** case and execution of the death penalty after legal proceedings is one of the evidence of non-discriminatory enforcement in Iran. Because the crimes and crimes committed by him who has Iranian nationality can not be discriminated against in the execution of the sentence against the Iranian citizen, which is remarkable in his place, in relation to the victim or the victim who is a citizen of Afghanistan. On the other hand, the severity of the crimes committed by the convicted person has been proven, in various courts, and public conscience has been severely affected. On the other hand, the owners of the blood have not been willing to consent to the crime of murder. Therefore, his case has led to the execution of the sentence, just like other rare cases of this age group. The following is a summary of the case file:

According to the information received from the Tehran Provincial Court and according to the contents of the case, **Mr. Amir Hossein Pour Jafar Katem Jani**, known as Colonel, [redacted], was born on December 25, 1997, was arrested and charged with deception, rape and deliberate murder of a six-year-old girl by the name of [redacted]. Following the legal procedure and hearing of the defendant's defense lawyer (named [redacted]), he was sentenced to one-time execution for rape and lying and one-time Qisas and also one-tenth of Diyeh of a Muslim woman for the crime against the dead body.

With the protest of the convict and his attorney, the case was sent to the Supreme Court and the Branch 32 of the Court, arguing that no effective document had been provided in the protest with regard to the prosecution's decision, due to non-observance of the principles and procedures of the proceedings, the court's ruling is in accordance with the documents and evidence contained in the case and in accordance with the law, the Supreme Court's ruling was upheld. As for the gravity and depth of the crime, parts of his confessions are equally quoted from the text of his statement:

"I was coming home from school and I saw the six-year-old girl [redacted], the neighboring girl, playing in the courtyard of our house with my niece's tablet. Mother and family members left with their nephews, and Setayesh continued to play with the tablet. I asked him to go home to show him the chickens. I brought him inside the house. I raped him from the front. I was scared and did not cry. I went to the roof to smoke and saw that her family was looking for Setayesh in the street. I was afraid. I came down. I brought her to the kitchen. I cut her throat with a knife. Blood was thrown. She was grunting and after a while she remained without a move. I put it inside a box and overed it. I went out and bought acid and alcohol and espand. First, I poured acid onto the corpse until the corpse to get disfigured; then I poured alcohol on it and burnt it, and then poured the spandel on fire to prevent bad smell. "

According to the contents of the case, all stages of the fair trial of the convict, including the prosecution of the charges in the "criminal district of a province" with the presence of 3 judges, the use of the lawyer during the investigation of charges and the achievement of rational development and understanding of the nature of the crime and considering the report of the forensic commission (article 91 of the Islamic Penal Code), all the existing legal proceedings has been observed and finally implemented. Execution of this decree, in addition to the realization of justice, results in the satisfaction of the public opinion, the parent, the government of the victim.

In connection with the convicted person against **Mr. Abolfazl Chezani Shahidi,** despite the certainty of the sentence, after legal proceedings and all stages of the proceedings, and despite the insistence of the owners of the blood for execution of the sentence, serious attempts and follow-ups are made, and the execution of the sentence is temporarily postponed. Attempts to obtain parental consent are still ongoing.

Reply to paragraph 20

Despite the reservation of the Islamic Republic of Iran with regard to the Convention on the Rights of the Child and the necessity of complying with its provisions with Islamic law, important documents have been adopted in the Islamic Republic of Iran, in the interest of individuals of under the age of 18 years for giving them special protection. Also, the Islamic Republic of Iran participated in the second cycle of the Universal Periodic Review, during the twentieth session of the UPR Working Group meeting in a constructive and inclusive manner and received 291 recommendations during interactive discussions with countries and recognized about 65% of the recommendations. Recognition of the high percentage of recommendations reflects the country's attention to the issue of the continuous promotion of human rights and the willingness to communicate and work with others.

In the form of cooperation and communication, the Islamic Republic of Iran has implemented, responsibly, all the accepted recommendations in the first round and reported it in official form to the UPR mechanism; including a revision of the punishment laws for individuals under the age of 18, which led to a change in the current law at that time. Also, in the second cycle, it has adopted a number of recommendations that will be implemented in the framework of 4-year planning and will announce the results in the due time.

Reply to paragraphs 21-22

The plurality of violent and bloody acts of terrorist groups, in particular the MKO terrorist group during the early years of the Islamic Revolution, which witnessed the martyrdom of the President, the Head of the Judiciary, the Prime Minister, more than 72 MPs, the clerical and scientific authorities and martyrdom (assassination) of the 17,000 innocent civilians have made Iran the largest victim of terrorism in the world. The intelligence cooperation of the MKO hypocrites with Saddam Hussein during the imposed war, the assassination of the Iraqi Shiites, the suppression of the Shabbaniyya uprising of the Iraqi people by the MKO and, in addition, the intelligence cooperation with the organizations of some foreign countries, leading to the assassination of the Iranian nuclear scientists have been among other crimes committed by the terrorist group. By organizing sectarian houses and using various types of weapons, they attacked people and created civil wars at the end of the Iraqi imposed war, just when the Islamic Republic of Iran was going to implement Resolution 598 of the U.N Security Council to conclude the status of the imposed war with Iraq, and because of the international obligations resulting from the resolution, Saddam Hussein did not have the possibility of continuing the war. This hostile (Muhareb) group of militants, using vast military equipment and using many financial and intelligence assistance of Baghdad, whose documents were obtained after the collapse of the Iraqi regime, launched a direct military strike on the west of the country through the Iraqi soil and with the illusion of conquering the Capital Tehran. They began a massive attack in which several border towns near the capital of Kermanshah province were invaded and they carried out brutal acts such as killing ordinary people and killing patients of hospitals and students of schools and there were numerous other cases of brutality. In response to the resistance of the people and the Iranian troops, their operations ended in defeat, during which a large number of armed and aggressive members of the group were killed.

* The successes of the Iranian nation and the Government in the fight against organized terrorism seem to have been transmitted incorrectly, and the false information has led to prejudice on the issue which has been repeatedly analyzed and communicated in the Iranian press. The people have widely supported it and consider it as one of the hallmarks of the holy defense and the first decade of the Revolution.

* It should be noted that no non-violent person was executed and individuals from members of terrorist groups who had an effective role in committing armed operations were tried in accordance with the law and after having been subjected to the relevant legal procedures. Another number of those who had lighter crimes were released after being imprisoned and they are now busy with their usual lives. Many, who have little role in working and cooperating with this group and other terrorist groups, have faced Islamic affection and have not been prosecuted.

* According to the existing documents, the ruling sectarian situation in the organization of the MKO hypocrite group is in such a way that the personal relations of the members are dominated by the iron dominance. Examples of this include self-immolation (in the photo of the detention of leaders in Paris), the forced marriage and organizational divorce, the dissolution of the relationship between parents and children, forced abortion and the requirement to live in camps and institutional homes including Camp Ashraf (Ashraf Camp)in

Iraq. The disclosures of hundreds of members of the organization inside and outside the country are available online and offline, and the fabricated stories and allegations and accusations of the terrorist organization are well demonstrated by the relevant authorities of the Islamic Republic of Iran.

Instead of supporting the false allegations made by the terrorist organization, it is expected that the victims of terrorism will be supported and, in particular, the innocent victims of the terrorist operations of the organization to be protected. There are more than 17,000 victims and the record of each assassination is documented. It should be noted that claims for prosecution of individuals who seek legal advice or make complaints, are false and could be investigated.

Also, according to information from the country's judicial sources, the allegation for mass grave discovery in the mentioned cities has been false and has not been registered in any of the official (judicial, police, and political) authorities. There was also a reference to the document referred to in the report, which was not found, except for a false claim and a rumor. Given that this claim is not reflected in any of the reliable media and the press of the country, which freely entering the current events of the country, it is necessary to delete this allegation in the final report.

Reply to Paragraph 23

It is necessary to, firstly, criticize the insertion of vague and general information in a draft, for which no document or proof in presented. Because of this, any allegation could be made and the Rapporteur has played the role of defense attorney, a prosecutor and a judge, and therefore there is no possibility for the country to verify the claims made against it. In addition to the method of concealing resources, it creates a false space for the reader to remove the Rapporteur from the expected position of neutrality. In addition, there are raised examples of torture in this paragraph which reminds us of the brutal tortures by Americans in Guantanamo and Abu Ghraib prisons, whose prisoners are accidently from the country of the Rapporteur; and attribution of such methods to the Islamic Republic of Iran may only come from an accusing and illusory stance, which. The Report has repeated it in an irresponsible manner. Therefore, it is necessary to delete this paragraph. In addition, which competent and reliable authority has confirmed the allegation, as a result of which the Draft Report raises that in a paragraph.

It should be noted that in the Islamic Republic of Iran, under Article 38 of the Constitution, any torture is prohibited in the country, and according to Articles 570, 578, 579, and 587 of the Iranian Penal Code and the Articles of the stipulations of the Law on the Respect to the Right to Freedom and the Protection of Citizenship, all offenders and other ill-treatment will be subject to severe punishment. In addition, in order to monitor the full implementation of this law, in accordance with Paragraph 15 of the executive instruction, the Central Monitoring Board, in cooperation with the Provincial Supervisory Authorities, carry out the necessary monitoring and inspections, and any action in breach of law shall be sued by judicial authorities.

In the same vein, during the four-year period (2012-2015), 38557 inspections were conducted from several thousand law enforcement, judiciary and prison centers throughout the country and 11093 complaints and reports from the provincial councils and the Website for collecting of reports and complaints from the Board of Governors. The Central Monitoring for the Protection of Citizenship Rights had received complaints from among which only 4332 are related to the law on respect for legitimate freedoms and the preservation of citizenship rights. The measures taken by the Central Board and provincial delegations are based on the executive instruction of the said law. These measures has resulted in issuance of 622 administrative disciplinary warnings to judicial personnel, 385 to administrative personnel, 128 cases were sent to the disciplinary court of judges and 116 cases were referred to the judicial authorities. In addition, a total of 511 inspections have been carried out by provincial councils in order to be able to carry out inquiries and respect citizens' rights. It is noted that out of a total of 4332 reported cases and complaints (including inspections and complaints) that were investigated, only a small percentage of the cases could be considered as violations of citizenship rights, for which the necessary measures were taken. In addition, in accordance with clause (b) of Article 9, Articles 10, 14 to 17, Article 39, and Clause D of Article 68, in the event of claims for damages arising from a crime by the plaintiff, after considering the claim, in the case of proof, the court shall award compensation for Material and intellectual losses. According to the information provided, it is necessary to delete this section of this Draft Report.

Replies to paragraphs 24-25

Unfortunately, in spite of providing detailed information on the contents of the draft report of the Secretary-General of last year regarding the health and medical drug situation and the status of prisons in Iran, incorrect and unrealistic allegations in this area have been repeated from a non-existent source in the present draft. While, in addition to periodic inspections and the handling of related complaints, Iranian prisons are subject to numerous governmental and nongovernmental supervisions (written report of an independent NGO is annexed to the visit to Evin Prison). The visit of several ambassadors and diplomats to the Evin Prison and visiting of an 11-member parliamentary delegation from the National Security and Justice Commissions and particularly their visit of security detainees and Section 209 should be duly taken into consideration. The initial report of the visits indicates that the prison is in a good situation and it is obvious that if there are shortcomings reported in the report, the cases were later carefully examined and attended. The existence of this open-ended policy and open action towards prisons is in serious contradiction with the false allegations made in the draft makes it necessary to remove this paragraph from the final text. The following is a brief summary of the regulations of the prison organization and the non-avoidable requirements in health and access to bathrooms and toilets as well as access to medical treatment inside and outside the prison:
As for prison condition, nutrition, and hygiene of prisoners and the possibility of meeting them, we would like to state that: In the Islamic Republic of Iran, the Executive By-Laws of Prisoners' Organization are carried out for all detainees and prisoners. In short, in order to describe the existing realities, all prisons throughout the country are subject to direct supervision by prosecutors and their deputies. Prosecutors and their deputies can visit prisons at any time, and prosecute offenders if they find violations, along with the removal of officers. In order to carry out the duties of the Prisons Organization and the Provisional and Educational Measures of the country, the following are noticeable:

1- Places used as detention centers are under the supervision of the Prisons Organization and in addition to internal monitoring (inspection, protection, judicial and enforcement) under the auspices of the Attorney General and the judges of the Prison, on behalf of the prosecutor, carry out inspections in all sectors, especially in the area of keeping defendants and convicted security offenders. Citizenship rights units and the Ombudsman of provinces are also inspected without prior information.

2- Since the responsibility of the detention centers is entrusted to the prison authorities, which is an independent organization under the supervision of the judiciary, the treatment with prisoners, in order to provide security and education measures, is in accordance with the legal and religious standards of the Islamic Republic of Iran.

3- The organization carries out the administration of prisons and there is no other place used as a prison and detention center other than the places under its supervision, and all judges are legally bound to dispatch the accused under trial and convicts with an official introduction to those prisons The prison authorities can not accept a detainee without a judge's order.

4- In practice, the necessary supervisory measures are taken by establishing a Central Monitoring Committee for protection of citizenship rights at the capital and in the departments in the provincial centers, and inspection teams are dispatched to various concerned departments, to investigate the received reports of violation. Investigating the performance of government officials and acts of suspected abusers, has been addressed after reviewing the results of investigations by competent investigation boards. The legislator has also stipulated a mechanism for the claimants of violation of citizenship rights, through the enactment and enforcement of the law on respect for legitimate freedoms and the preservation of citizenship rights. The mechanism recognizes authorities as accountable for execution of the law and for protecting the affected individuals and the litigation through the supervisory boards; with the continuous increase in regulatory measures, we have witnessed a significant reduction in complaints received to inspection boards over the recent years.

5- The approach to improving the prisoners' retention status has always been on the agenda, and the health, treatment and nutrition of prisoners has been well attended. In accordance with Article 95, a minimum standard diet of three meals a day, containing all the necessary food ingredients, including at least three meals of food containing meat, is fully complied with, and the inspectors apply a comprehensive oversight. In order to promote the well-being of prisoners, buffets and shops are set up, with affordable prices, in accordance with Article 98 and its clauses.

6- Mistreatment with prisoners is prohibited, in the constitution and customary laws, including the law of respect for legitimate freedoms and the preservation of citizenship rights.

Prison officers and prison officials have received the necessary trainings in this field, and in addition, they receive on-job trainings.

7- Health units are located in prisons, and standard care is provided, so that prisoners' access to doctors is sometimes much easier and faster in comparison with other people in the community; and all medical treatments for prisoners are provided free of charge. In addition, in the case of special medical requirement, the prisoner shall be dispatched to hospital out of the prison, upon discretion of prison's doctor, and coordination of the judicial authority with the prison supervisor.

8- In prisons of the country, vocational training workshops are available for qualified volunteers and allows the prisoner to receive both professional and post-vocational training, and receive income for his productive work and send it to their families living outside the prison.

9- In the Islamic Republic of Iran, while ensuring the rights of prisoner, in accordance with the law and regulations of the Prisons Organization, facilities such as frequent visits to families and relatives, the availability of appropriate medical and sanitary facilities, access to amenities, shop, barber shop, sports club, educational and cultural classes, cinema, library and so on are stipulated.

10- The guarantee of respect to the rights of detained persons and appropriate behavior with them, including the right to defense, the opportunity to use an attorney and an expert is well stipulated in the law on "Respecting legitimate liberties and protecting citizenship rights" and other statutory provisions. In addition, the clause one of the article of the law on citizenship emphasizes that arrest is based on observance of the law and with a clear and transparent judicial decree and order, away from the exercise of any personal tastes and abuse of power or the committing of any kind of violence, and particularly in accordance with the principles of fair trial. In addition, the head of the judiciary is required to set up a committee to monitor the appropriate implementation of these regulations and all the entities related to these regulations are strictly required to report their actions to him. Also, in order to ensure more control, in accordance with the provisions of Paragraph 15 of the Civil Rights Act, in all provinces, a board is set up as the "Provincial Supervisory and Inspection Board".

11- The use of in-patient and out-of-prison facilities is such that, in accordance with Article 102 of the Executive By-Law of Prisons, medical clinics of prisons, are required to carry out medical examination for all prisoners, at least once a month. Article 103 of the said By-Law explicitly provides that the medical and sanitary needs of the convicted patient are to be provided within the prison or rehabilitation institutions, and, in urgent cases, transfer of the convicted prisoner from the prison for medical treatment, out of the prison, may be authorized by the authorities concerned. According to Article 104 of the said regulation, the cost of treating ill prisoners who are necessary to be sent out of the prison shall be met by prison authority and it should be carefully applied to all prisoners. Article 105 of the same regulations stipulates that all prisons and its affiliated places, such as vocational training halls, must be disinfected at least once a month, and, if necessary, in shorter intervals.

The detailed information provided in the previous and current responses on the situation of prisons and the observance of the relevant provisions does not intend to imply that there are no shortcomings in prisons. Allocation of funds in the Judiciary and the prisons organization, is meant to improve prison conditions or construct new prison facilities in some provinces to reduce the probable prison population density. The relevant progress reports are also announced in the media. This issue is not limited to Iran, and a vast majority of countries are involved in this issue, given the growing incidence of crimes in the world. It should be noted that the communications of the Special Procedures regarding the prison conditions of the persons referred to in paragraph 25 is formally responded and the allegations have been rejected. In this way, the allegations is needed to be deleted from the final report.

Reply to Paragraph 26

The response to the allegations and the request made in this paragraph has already been expounded in paragraph 23 above. Regarding the use of modern facilities to ensure the safety and well-being of prisoners, studies have been made and in case the Special Rapporteur would like to offer special suggestions, we are prepared to take them into the due consideration.

Reply to Paragraphs 27-28

Unfortunately, this paragraph of the Draft Report, without mentioning the source, by prejudging and refraining from a balanced examination, that is expected from an international report, raises allegations which are essentially incompatible with the situation of prisoners in

the prisons of the Islamic Republic of Iran. The Draft also attempts to continue to ignore the government's compliance with standards in prisons, as well as numerous legal humanitarian affections provided to prisoners; which are in response to all claims made in this draft. It is therefore necessary to remove this paragraph from the final report.

According to the announcement dated 4 Nov. 2017 of the court of the West Azerbaijan Province, **Mr. Mohammad Nazari**, was arrested on July 5, 1994 and he was charged with acting against the security of the country, re-joining the dissolved Democratic Party and returning to Iran to carry out assassination operations; and was sent to prison. Upon exhaustion of the relevant legal procedure, he was sentenced to death in accordance with the verdict No. 1373 of Sep. 10, 1994 issued by the Islamic Revolutionary Court of Mahabad, and the judgment was confirmed on Dec. 15, 1994 in the application of Order No. 906/31 issued by Branch 31 of the Supreme Court of the country. He has been pardoned by the Supreme Leader in 1999 on the occasion of the birth of the Holy Prophet Muhammad (PBUH) and his death penalty was changed to life imprisonment. Then on Dec. 7, 2007, in continuation of his term of imprisonment, he was transferred from Orumieh to the Raja'i Shahr prison in Karaj city. He went on hunger strike a few months ago and subsequently used the medical treatment of outside the prison, which is acknowledged in this draft paragraph. It should be noted that with favorable opinion of the Urmieh prison (near the place of his family), his request of transfer have been approved. He is currently in the prison of Orumieh near the family. Therefore the claim in this paragraph is incorrect and needs to be corrected.

Reply to paragraphs 29

Firstly, it should be noted that the statistics presented in these paragraphs do lack documentation in absence of mentioning legitimate sources, while it is highly expected that an international report to rely on documented and verified information and sources.

"Islamic Hodoud"(Islamic punishments) are punishable and effective punishments that are well included in the Iranian law. Of course, the relative deterrence of punishment is obvious and it is recognized and confirmed by various scholars of law and criminology. If the punishments were absolutely deterrent, the crime would not continue to be committed in the world. The question is if the use of long-term prison sentences has created an absolute deterrent to offenses in Western countries?! By accepting the relativity of deterrence of punishment, Islamic jurisprudents have also made a comprehensive research on the more effective and more humane nature of Islamic punishments on the use of imprisonment or confinement. Also, the physical punishments which are anticipated in the laws of the Islamic Republic of Iran are legislated and legalized, and therefore they are not in contradiction with Iran's obligations under paragraph 7 of the International Covenant on Civil and Political Rights.

As for the issue of the use of lash punishments in the Islamic law, it has been considered and stipulated to prevent similar crimes and to reduce the use of sentences of imprisonment, which by themselves, have had major social, moral and economic consequences. Regrettably, this punishment has been interpreted wrongfully, by the West, as a degrading punishment. Lash punishments are issued and enforced as a substitute punishment for limited cases and, at the discretion of the judge, could be replaced by cash penalty. In addition, research shows that, in most cases, convicts prefer to receive a few lashes rather than going through a few months of imprisonment.

The punishment of amputation is an Islamic punishment and deterrence that is reflected in the laws of the country and may be implemented in very rare cases where the crimes committed have undermined public safety or a large amount of people's feelings. On the other hand, it is worth recalling that the issuance of a reprimand for amputation is very rare, and in assuming the issuance, the circle of execution of sentences in the direction of proposing the conversion of punishment, will endeavor to establish reconciliation meetings and compromise and obtain consent from the holder of the right (which in many cases leads to success)

Reply to Paragraph 30

Contrary to the allegations raised in this paragraph, it is necessary to refer to a part of the country's progress and achievements in the field of the press: the law of publication and access to information approved in 2009 guarantees the right to free access to public information for any Iranian person in the framework of laws and regulations. Also under the Article 11 of the Press Law, adopted in 2000, the Board of Supervision of the Press is responsible for reviewing the application for licensing and the recognition of the applicant and the responsible director. In addition, as stated in this paragraph, Article 26 of the Citizen's Rights Bill also recognizes the right to freedom of expression for any Iranian citizen in such a way that this right must be

exercised within the limits prescribed by law. In accordance with this same article, citizens have the right to freely search, receive and publish opinions and information about various subjects using the means of communication, use of public information or dissemination thereof subject to relevant laws and regulations.

In this regard, it is noteworthy that there are 25 trade associations with a license related to the field of journalism in the country, which include: Association of Chartered Guilds of Iranian Journalists, Journalists 'and Journalists Workers' Association of Iran, Journalists 'and Journalists' Association of Iran, Association of Media Managers, National Media Cooperatives, Association of Publications of Agricultural and Food Industries, Association of Iranian Journalists, Association of Journalists and Writers of the Holy Defense, Golestan Journalists 'Association, Press Association of the Press Association, Association of Iranian Journalists, Journalists' Association of Iran, Press Association of Iran, Association of Non-Governmental Journalists, Association of Non-Governmental Journalists, Association of Journalists of Muslims, Association of Writers, Journalists and Sports Photographers of Iran, Neglegation of the Kurdistan Provincial Publications, Association of Sports Photographers and Sports Reporters of Isfahan Province, Isfahan Journalists' Association, Association of Advertising Photographers of Isfahan Province, Isfahan Advertising Association, Isfahan Advertising and Advertising Association, National Press Association of the Provinces of the country, Association of Journalists of Qazvin Province, Association of Journalists and Journalists of South Khorasan Province, Association of Journalists, Journalists and News Agency Chaharmahal & Bakhtiari Province, Association of Journalists of East Azarbaijan Province. There are also a significant number of print and electronic publications, sites and newspapers, including 6030 licensed printers, 2055 licensed news sites (42 sites), 42 news agencies, 365 off-line electronic publications (totally 8492) in the country.

In addition, due to the priority given to the issue of media and access to information in the country, several exchanges of media delegations with other countries, as well as twenty-three periodicals of the press exhibition have taken place, the recent initiative, the holding of a periodical exhibition of the press, are the cases experienced merely in Iran. At the time of the press exhibition, in addition to the immediate dialogue between authorities and the media with the media, the demand for and response to problems, the holding of professional, professional and general meetings, apart from the media's exploitation of this capacity and national banquet, led to the design, pathology and Finding suitable solutions to various issues and affects the community. The press exhibition, in addition to holding specialized and practical workshops with media lecturers and media pioneers, as well as the presence of foreign guests, mostly internationally renowned international journalists in the world, will also help develop media interactions while using the exhibition space.

Reply to paragraphs 31 and 32

Firstly, the statistics presented in paragraph 31 of the draft is incorrect; secondly, by virtue of the law, the Supreme Council of Cyberspace is an upstream and independent entity in the field of cyberspace in the country, which is the main task of this policy institution, macro management, planning, decision making, and timely and efficient and up-to-date monitoring and monitoring in cyberspace. According to the law, the laws of this institution are binding on all relevant organizations. So far, the council has not passed a bill on the need to verify the identity of internet users.

In addition, in accordance with Article 22 of the Computer Crime Act, the Judiciary is required to establish a Code of Conduct for Criminal Instances. The committee is composed of representatives of relevant organizations and it is headed by the Attorney General of the country. The committee acts on the basis of laws and regulations to determine the examples of websites that seek to endanger the safety and security of the community, promote crimes against general ethics, promote false information and support terrorist groups. And the relevant judicial departments also deal with offenders of laws and regulations of the country and take action against perpetrators of the crimes. This approach not only does not violate the freedom of expression and privacy of the people, but also guarantees the rights and privacy. It has also been a serious demand of people from the government and the State to protect the rights and privacy of individuals against those who are unaware of and heedlessly disseminating personal and private information.

It is noticed that the allegations made in this paragraph are incorrect and the official policy of the Islamic Republic of Iran is to improve the access of people to information and provide legal freedom for the activities of newspapers and websites; therefore, it is necessary to amend this paragraph in the final report.

While reiterating the incorrectness of the statistics contained in paragraph 31 and the need to amend it in the final report, the Islamic Republic of Iran's principled strategy is to promote the rapid and inexpensive access of all sectors of society to the cyberspace, particularly in particular the 11th and 12th governments' programs and actions, in this area, are notable and the results are reflected in official statistics. The widespread use of social networks by the society led the High Council of Cyberspace, as the reference to the management of this space, required them take action for prevention of crimes and the abuse of public data; and, in addition to encouraging internal social networks, they prompted other networks to transfer servers to Iran. IPDs are commonplace when accessing the internet anywhere in the world, even in public areas such as hotels, in order to prevent internet crime or to detect possible hackers.

Therefore, the main policy of the country is the increasing use of cyberspace and information facilities, but along with this policy, other principles such as ensuring public safety and public morality and protecting family members should be observed. Here are some of the improvements made to make people more accessible to cyberspace:

Development of communications and information technology as an infrastructure and empowerment of all parts of the country has been of great importance to the government. Undoubtedly, the field of information and communication technology can be greatly expanded with the development of e-government, the empowerment and transparency of the country's administrative system as much as possible, reducing the number of redundant and parallel processes of work, as well as less volume of economic corruption in the country. A look at the status of the indicators of information and communication technology in the government suggests appropriate progress in this area during the eleventh government, and an increase of more than 6 equal internal bandwidth, 797% increase in the capacity of the country's transmission network, an increase of 243% data network in the country, provision of 101 trillion riyals of investment in communications infrastructure, and etc., all show the government's determination to expand and develop communications and information technology in Iran.

Also, given the need for deprived areas for communication and access to services, and considering the reduction of gaps in access to ICT services in urban and rural areas, the government has been paying particular attention to villages by investing in those areas as well as using private sector power. As a result, providing of high-speed access to data and information for over 18,000 villages has been provided, so far. In the development of communications infrastructure, which is one of the main bases of communication, it has been accompanied by a 6-fold increase in domestic capacity compared with the beginning of the eleventh government. In addition, any filtering, censorship and limitation of communications in cyberspace is subject to legal regulations.

Replies to paragraphs 33-34

The contents of this paragraph are based on inaccurate information and despite the detailed information on the freedom of journalists and the media, and the development of the volume of their activities and their number, in response to the previous report of the Special Rapporteur, the general allegations have been repeated, in absence of verification, without mentioning their sources.

Allegations which are raised in these two paragraphs, without verification are not acceptable. In the Islamic Republic of Iran, in relation with communication media, the legal framework if observed, and in accordance with the current laws and regulations, any offense defined by the legislation, shall be met with the legal constraints, after fair trial. The regulatory or arbitrary deterrent in this regard is based on the commission of a criminal act. Also, the claim of harassment and threats against the family of the Iranian staff of the BBC News Agency is incorrect; because on the assumption that a person has committed a crime, in terms of the principle of personal prosecution and punishment for the perpetrator, taking of action against his/her family is not conceivable.

It should be noted that 156 foreign media outlets in Iran, including the BBC English and Arabic (whose names appear on the website of the Ministry of Guidance at https://foreignmedia.farhang.gov.ir/fa/pressoffices), number 310 Active journalists, one third of whom are foreign nationals, are active in Iran.

On the other hand, it should be noted that the Persian BBC institute is not an independent media network, and its financial and political affiliation with the Ministry of Foreign Affairs and the British security agencies has been very serious and it has been challenged repeatedly even by British citizens. The political record of this network is obvious to all in the creation of social and political crises and color revolutions in the opposition countries of the West. In the

Islamic Republic of Iran, this network had committed several destructive activities beyond the sphere of media activities, especially in the sedition of the years 1998 and 2008, through the dissemination of false information, disturbing public opinion, insulting sanctities, provoking ethnicity and strengthening the circles of overthrow and terrorism, which resulted in serious criticism of the activities of this network in the country. Therefore, with regard to the continuation of such destructive activities beyond the media, the judge of the Prosecutor's Office issued a temporary judicial order to ban some of the BBC staff and their relatives' activities, for further investigation, considering the traces discovered of suspected financial transactions of some employees and affiliates of this network in Iran.

Reply to paragraph 35

Seyed Hossein Kazemeini Boroujerdi:

Mr. Seyed Hossein Kazemeini Boroujerdi, son of [redacted] was born in 1954 in the city of Borujerd, a resident of Tehran, was arrested on charges of forming a cult with extreme tendencies and organizing and destroying public property, burning several motorcycles and buses, and concealment of two firearms. Following the required legal proceedings, he was sentenced to 10 years' imprisonment. As has already been confirmed by the Special Rapporteur, in the Islamic Republic of Iran no one is sued or tried because of his or her belief of thought. As it is evident in the case of Mr. Kazemeinii's case, his actions and violent acts were the basis for his arrest and sentence, on the law. It should be noted that, despite the misuse of the similarity of his name with Ayatollah Ali Azimi Boroujerdi, he has no relation with the household of the Late Ayatollah.During his prison term, he has been in good health, enjoying his legal rights, health requirements and the right to visit members of the family and access to cultural and press affairs.

According to the latest information, dated 9 Dec. 2017, the Special Clerical Court of the Islamic Republic of Iran: "In the case of the file No. 2/v/5905/79, Mr. Seyyed Hossein Kazemeini Boroujerdi, son of [redacted], was charged with " Moharebeh and corruption on the earth", confrontation with police and insecurity, dissemination of lies and abuse of his clerical status. According to the verdict No. 86/2177 dated 29 August 1997, of Branch 3 of the Special Court for the Clergy, he was sentenced to eleven years imprisonment, dismissal of clerical status and payment of Diyeh. The verdict was appealed and later confirmed by the court decision No. 86/774/2 dated 27 Feb. 2010 of the Second Branch of the Revolutionary Court of the clergy. He was transferred to Evin Prison on 20 Sep. 2008. Ever since he has been enjoying prison facilities such as medical treatment, family visits and telephone calls. Eventually, due to his remorse, lack of association with the disciples and the closure of his political activities and his illness, his leave permission was extended. Finally, termination of his imprisonment was announced on 2 Aug. 2017, with the introduction of a leave to work permit and, until the end of his term of imprisonment, his leave was extended. 05/96 has been terminated. No evidence or proof was found on the other allegation raised in the paragraph.

Response to Paragraph 36

Despite the information provided in the response of Iran to the Special Rapporteur's report of the last year, repetitive, false and unsubstantiated allegations have been repeated in this draft report. Expressing concern about the situation of civil society activists in Iran is discussed in this section. In Iran, there are a large number of activists in the field of social, civil and human rights, although the abuse of the title of civil rights activist or human rights defender or any other similar title can not undermine their judicial responsibility. Unfortunately, in the Draft, the title of the women's rights activist, workers and human rights defenders has been used incorrectly, to the point where, in some cases, terrorists can also be subject to these titles. In addition, the use of the title of civil rights activist or human rights defenders to insult individuals who, according to their anti-social behaviors, ignore the norms of the society and commit offenses against the law, is an insult to the true defenders of human rights.

Response to Paragraph 37, 38 and 39

Unfortunately, many incorrect and unfounded allegations have been made in these paragraphs. Since the allegations are general and lacking detail, they are not verifiable. It is unfortunate that these allegations in the draft are assumed as correct propositions and based on the prejudices that have to be deleted. As mentioned earlier, in Iran, there are a large number of activists in

the field of social, civil and human rights, although the misuse of civil rights activists or human rights defenders or any other similar title cannot undermine their judicial responsibility. Unfortunately, in some cases, the use of the title of the active rights of women, workers and human rights defenders has been used with impunity and tolerance, to the extent that with this interpretation, in some cases, terrorists may also be subjected to this title. In addition, the use of the title of civil rights activist or human rights defenders to insult individuals who, according to their anti-social behaviors, ignore the norms of the society and commit offenses against the law, which is an insult to the true defenders of human rights.

According to Article 26 of the Constitution and Article 131 of the Labor Law, the right to form associations and trade unions has been identified (executive by-law of this article is under consideration). In addition, article 73 of the Fifth Development Plan, paragraph h, emphasizes the strengthening of labor and employer organizations, "the legal right of trade protest" for these organizations, and, in this regard, the Code of Practice for the Management and Organization of workers' protest has been developed. Certainly, holding any gathering is subject to the prior authorization of the relevant authorities. According to official statistics, dozens of grassroots demonstrations take place in the country every year in the workplace and public areas, and rallying or protesting is not seen as an act against security. On the other hand, labor problems in Iran have been created after the intensification of unlawful, unilateral and imposed sanctions (in Iran's trade relations with other countries) which have also resulted in closure of some industrial units, problems in paying salaries and benefits of many classes of the society, including the workers. The management and the plans and decisions of the authorities have so far relieved the problems to a considerable amount; and in particular, the lack of abidance of the United States with its obligations under the Comprehensive Plan of Action, has been struggling against the policies of economic reform and the elimination of the Iranian people's problems in this area. This attitude of the US has led to free banking cooperation and ultimately further problems for all walks of life. In addition to domestic measures, the Islamic Republic of Iran and the member states of the Non-Aligned Movement, by adopting a resolution on the United Nations Human Rights Council, have put in place a special Rapporteur to investigate undesirable human rights violations of unilateral sanction of the states. In the future, these activities could be effective in removing such sanctions and preventing it from being repeated for developing countries. However, authorities have been trying to deal with the working community with the highest possible tolerance, and even after the finalization of judicial decisions, attempts have been made to reduce penalties. In a few cases, unfortunately, the accused has misused the available capacities in the field of labor for illegal purposes, such as consolidating terrorist goals, encouraging armed action and actions for overthrowing the system, harboring ethnic and religious hatred. Also, in line with further support of the Iranian workers, Iran has continued its effective and constructive engagement with the International Labour Organization.

Reply to paragraph 40

Mr. Reza Shahabi was arrested on 14 June 2010, and charged with committing offense against the security of the country through the association with the terrorist group of MKO (which has been repeatedly recognized by various countries as a terrorist organization and its terrorist acts resulted in martyrdom of more than 17,000 Iranian people, as well as thousands of Iraqi citizens during the period of Saddam Hussein) and receiving money from the terrorist group and propaganda activities against the Islamic Republic of Iran. He is the driver of Tehran and suburbs Bus Company. According to available documents, Mr. Shahabi has been cooperating with the terrorist group of MKO since late 2008, in the form of news and information manipulation, attending illegal gatherings for filming, photographing, and sending via the internet to the terrorist organization of MKO.

Therefore, considering the above, he was charged with 1- association and collusion with the intention of committing a crime against the security of the country through communication with the terrorist group of MKO; and 2. Propaganda against the Islamic Republic of Iran. He was tried by the Tehran court and after the defense his lawyer, [redacted], and following legal proceedings, according to the lawsuit dated 10 April 2012, and in accordance with article 47 of the Islamic Penal Code, he was sentenced to five years' imprisonment on the first part of his charges and one year's imprisonment, including the duration of the arrest, as well as extradition of seventy million rials in cash in favor of the government. The verdict was reviewed by the Branch 36 of the Provincial Court of Appeals and after being re-examined by

the defendant and his attorney, it was upheld. According to the court ruling dated 13 June 2012, pursuant to Article 257 of the Code of Civil Procedure of the General and Revolutionary Courts in criminal matters, the verdict was confirmed.

Following enforcement of the legal provisions set forth in Article 134 of the New Penal Code he was sentenced to five years' imprisonment and extradition of the mentioned cash money. Unfortunately, he continued his relationship with the terrorist organization, in the same way that he committed offenses during the period of leave, and therefore, he has a new case and he is charged with propaganda activity against the country (by telecommunication with elements of the organization of the terrorist group of MKO). He was sentenced to one year imprisonment and his final sentence was announced on 9 Jan. 2016.

It should be noted that he has used several times of out of prison leaves, and even from 16 Feb.2015 to 6 May 2015, he was not in prison, on the basis of Islamic affection. The issue of the possibility of granting him amnesty, has been taken into consideration in the relevant legal mechanism.

Reply to paragraph 41

Firstly, the mentioned opinion of the Working Group on Arbitrary Detention is not filed with these specifications, and as stated in the introduction, the Islamic Republic of Iran has responded actively and responsibly to communications received from the Special Procedures and, therefore, as a rule, the initial views of these procedures in communications are not be considered definitive, and it is necessary for the mandate holders to pay attention to the information provided by the governments in rejecting of allegations. Contrary to the allegation, the issue of action against national security is a clear matter in the laws of the country.

In the Islamic Republic of Iran, the issue of fair trial is emphasized in the Constitution, in the criminal procedure law and in other ordinary laws in all stages of the proceedings, from discovery, investigation and trial to the enforcement of judgments, regardless of race, religion, gender, and ethnicity of people under consideration. The observance of the principle of innocence and the necessity of the legality of crimes and punishments are taken into account in Article 37 of the Constitution and in Articles 2 and 12 of the Islamic Penal Code. Accordingly, no one shall be convicted in law unless his or her crime is proven in the pertinent competent court.

* The current laws of the country ensure fair trial standards, including immediate access to lawyers, so that a significant number of lawyers and legal advisers are run under the supervision of lawyers' associations in different regions of the country and relevant centers for the provision of judicial and legal services.

* In accordance with Article 156 of the Constitution, the Judiciary is an independent power and in accordance with Principles 164 and 166, the judicial authority is protected by law and at the same time the judge is required to issue a verdict reasonably documented. In addition, ordinary laws, such as "the criminal procedure", "civil procedure", and regulatory rules, have guaranteed the independence of judges and lawyers at all stages of proceedings, whether they are primitive, appeal, or appeal stages. The Judiciary is directly and without the influence of other Powers of the country, protected by the Constitution (Chapter 11), and in order to implement the rules of ordinary laws, which have followed the democratic process of the legislative process and has become operational, to fulfill their entrusted duties in cooperation with the affiliated organizations as well as judicial authorities at initial and higher stage. The judiciary has taken several actions to improve the efficiency and guarantee more independence, by monitoring the performance of the judiciary and affiliated organizations, including:

- Strengthening the organization of legal and judicial Deputies;
- Strengthening and enhancing of the jurisdiction of dispute resolution Councils in order to resolve disputes and create peace and reconciliation;
- Establishing a strategic Deputy for more coordination and monitoring of the performance of services to citizens;
- Establishment of a Crime Prevention Deputy position;
- Establishment of a cultural Deputy position to promote the legal culture in the society;
- Establishment of a Deputy position for Information and Communication Technology (ICT) in order to provide citizens with easy and quick access to judicial authorities through cyberspace;
- Increasing the provision of specialized training courses for judges;
- Establishment of a free legal counseling center for responding to citizens' legal questions through the phone system 129.

Reply to paragraph 42

Following the detailed information provided on **Mr. Arash Sadeghi**, in response to the previous report of the Rapporteur, which was necessary to be taken into consideration and to refrain from repeating the wrong allegations, we would like to state in short that, in accordance with the provisions of Article 134 of the Islamic Penal Code he was entitled to Islamic affection and only a seven-and-a-half years imprisonment, the heaviest portion of his punishments, has been enforced for the crime of gathering and colluding for committing a crime against the security of the country, and he is presently serving his term of imprisonment. Mr. Sadeqi has been enjoying medical and other facilities of the prison and he has no ban on meeting with his family, and receiving cabin visits on a weekly basis. He has already stopped his strike and is serving his conviction.

Reply to paragraph 43

Soheil Arabi's case is one of the examples of tolerance and affection with young people who have committed heavy crimes. According to the existing information, although he initially planned and deliberately committed insult against the Prophet of Islam (pbuh) and other pecuniary offenses proved in the court, but with the precision of the relevant judge and granting the opportunity to study instead of sentencing to the heavy punishment, provided by law, he has been only sentenced to the heaviest portion of his sentences, to a seven-and-a-half year prison sentence and he is presently serving the term of imprisonment. The investigation shows that he is in good health and has access to health and well-being facilities. He has already stopped his strike and is in good health. The other allegations contained in this paragraph are incorrect and are necessary to be amended.

Reply to paragraph 44

Following the detailed information in response to the previous report of the Special Rapporteur, on the basis of the latest information received from the relevant authorities, on the 24th and 29th of January, 2017, Ms. **Athena** was subject to affection and on the basis of Article 134 of the Islamic Penal Code his final sentence was reduced to 5 years imprisonment. He is currently serving his term of imprisonment. It should be noted that he has had his regular visits with his family members and he has been dispatched to medical centers out of the prison, whenever needed. The claim on his new charge is incorrect. He went on strike in opposition to his transfer to the prison of Ray city. He has already stopped his strike and is in good health.

Reply to paragraph 45

Ms. Narges Mohammadi's illegal activities and judicial review of her record show that she has committed several crimes that should be taken into consideration. Also, observance of a fair hearing and the use of legal remedies has brought his case with complete transparency, which, consequently, to the fact that her case is not one of arbitrary detention case, and it is necessary to amend this paragraph of the draft report. This issue has already been widely reported to the Working Group on Arbitrary Detention and it seems that, due to delays, it has not been included in the agenda of this group.

However, in relation to the illegal activities of the campaign, in addition to the absence of taking the legal action to obtain a permit, the basis for the work of rejecting the laws of Islam and challenging the Sharia Law (Islamic canon law) is contrary to the principles of the Constitution. Without having the expertise, necessary to enter the subject, or to hold a scientific discussion, they have studied the subject, the organizers of the campaign, according to the collected information, sought to propagate against the sanctities of Islam and carry out a series of illegal and illegitimate activities.

According to the Tehran Provincial Court, Ms. Narges Mohammadi, upon exhaustion of the legal procedures and hearing of the defendants and lawyers, was charged with propaganda against the state,for which she was sentenced to one year imprisonment, on charges of assembly and collusion to commit a crime against the security of the country, to five years, and on charge forming establishing the illegal group, she was sentenced to 10 years in prison and the verdict has been verified in the appeal court. According to the request of the judge to execute the orders of the Public Prosecutor, in application of Article 134 of the Islamic Penal Code (adopted in 2013), only the punishment of ten years imprisonment was imposed as the final sentence, from amongst the total punishment. She is presently serving her term of imprisonment in Evin prison.

Similar to her other inmates, she has been receiving her regular medical examinations. Regarding his health status, records show that he was transferred to Taleghani Hospital in Tehran on Saturday, August 1, 2015 and received medical care. She was again transferred to the hospital for treatment completion on Sunday, October 11 Oct. 2015. It should be noted that she was transferred to a hospital that was requested by her family, where Mrs. Mohammadi's former doctors were working and were familiar with her clinical records. Medical examinations have been continued whenever needed. Mrs. Narges Mohammadi has had 84 occasions of visiting doctors out of the prison within the last two years (6 of them have been canceled by herself). It seems to be a maximum of cooperation for her medical treatment. She has also had continuous visits with her relatives in presence and in cabins. Her recent health and treatment measures have highlighted her normal health status and any expression of concern over her health situation is unsubstantiated..

Mrs. Narges Mohammadi has had 95 cabin and in-person visits. It should be noted that she does not use the privilege of visiting the family due to the absence of her family in Iran, and mostly her brother, who is present in Iran, visits her.The issue of the amnesty or the reduction of the punishment of offenders is carried out in accordance with the law and in accordance with the relevant rules and is also applicable to her. The letter, referred to in this paragraph, sent by a number of MPs, shall be definitely taken into consideration, and what is more important is the request to be made for pardon, and the law cannot be expected to do it by itself. Naturally, it should not be expected that independence of judges to be influenced by law makers or politicians. It should be noted that the legislator, in Article 474 of the Criminal Procedure Code, has stipulated the right of the application for retrial; and it is the eligibility of such requests, otherwise it would be rejected.

Reply to paragraph 46

The allegation for the imprisonment of lawyers without reference to their perpetrated offenses is inappropriate: since a lawyer cannot carry out an act that is outside his mandate and advocacy, and definitely the Rapporteur also acknowledges that if the lawyer violates the limits of his legal duties and acts contrary to law, he/she may be sued and brought to justice. He could be punished by the court, after the issuance of verdict by the pertinent court, in accordance with law. In the case of Mr. **Abdolfattah Soltani**, the following references should be noticed:

- Effective participation in the establishment of a Human Rights Defenders' Club (without obtaining legal permission) for carrying out illegal actions,
- Suspicious contacts with the embassies of some countries in Iran,
- Receiving significant amounts of cash from foreign services,
- Contact with elements of the internationally recognized terrorist group of MKO.

It should be recalled that, considering her numerous illegal activities, 12 lawyers have been involved in the legal process and legal services. In addition, despite his conviction, and that he was sentenced to 18 years imprisonment and 20 years of deprivation of his advocacy activities, at the first stage, upon the review of period of his sentence he was finally sentenced to 13 years of imprisonment, as well as 10 years of deprivation of attorney activity. Through his family and his lawyers, he has been pursuing his health and treatment and has had the opportunity to visit his trustworthy doctor and at least for 13 times he has been dispatched to medical clinics out of the prison for dental and other treatment services. He is presently on leave from the prison and further he may request for conditional release or even make a request for pardon which will be considered in accordance with current regulations.

Reply to paragraph 47

Mr. Mohammad Ali Taheri was sentenced to five years imprisonment on the charge of insulting sanctities, payment of 50 million Rials on the charge of illegal intervention in the medicine and medical treatment of patients, cancellation of the license of the Erfani Keyhani institution, to 74 lashes for committing act of Haram (act against Islamic Canon Law), payment of ten million Rials on the charge of procuring and distributing audiovisual material and unauthorized activities, payment of 890 Million Tomans on the charge of obtaining illegitimate money, and finally to payment of six million Rials for unauthorized use of scientific titles. He has been serving his term of imprisonment since 4 May, 2011. He has another prosecution file on the charge of "corruption on the earth", which has not yet been issued with a verdict (because the Supreme Court has violated the judgment and referred the same to the court). He

has completed his term of imprisonment and is presently in Evin Prison in good health, on a provisional writ of capias. Meanwhile, he has had regular meetings with his first-degree relatives. It is noted that his numerous unlawful acts do not relate to a healthy and lawful human rights activist, and the legal proceedings in his case have been carried out with due diligence in all stages of the proceedings.
He has three defense attorneys, and thus it can be seen that the allegations contained in this paragraph are incorrect and need to be corrected.

Reply to paragraphs 48 and 49

Despite the information provided in the response of Iran to the Special Rapporteur's report of the last year, repetitive, false and unsubstantiated allegations have been raised in this draft report. Expressing concern about the situation of civil society activists in Iran is discussed in this section. In Iran, there are a large number of activists in the field of social, civil and human rights, although the abuse of the title of civil rights activist or human rights defender or any other similar title cannot undermine their judicial responsibility. Unfortunately, in the Draft, the title of the women rights activist, workers and human rights defenders has been used with carelessly, to the point where, in some cases, terrorists can also be subject to these titles. In addition, the use of the title of civil rights activist or human rights defenders to insult individuals who, according to their anti-social behaviors, ignore the norms of the society and commit offenses against the law, is an insult to the true defenders of human rights.

Reply to paragraph 50

According to some judicial authorities, numerous crimes attributable to the individuals referred to in this paragraph (Mr.s Mousavi and Karroubi) have been seriously documented, in the post-election turbulences of 2009, and the flexibility shown by the Government toward them has been merely for protection of their lives and also because of their earlier high ranking position in the system.

Reply to paragraph 51

The Islamic Republic of Iran has already sufficiently provided detailed information to the working group on the illegal activities of the Namazis. In previous responses, it is also plainly mentioned that while thousands of Iranians who are residing abroad, travel freely and enthusiastically to their country each year, and their relatives also travel abroad repeatedly, the allegation for the arbitrary arrest of people with two nationalities is in vain. Moreover, as it is observed, the legal prosecution and judicial review of some individuals with a foreign nationality and the allegations raised in the draft, demonstrates incorrectness of the allegations.

Reply to paragraph 52

According to the Tehran Provincial Court, **Mr. Ahmad Reza Jalali** was arrested in 2016 on charges of cooperating with the Mossad espionage services and confessed at the time of the investigation in the prosecutor's office and in the court, as well. He has passed on the names of 30 nuclear scientists to the Israeli intelligence service, and as a result of which, two of our country's scientists (martyr Shahriari and martyr Ali-Mohammadi) were assasinated by agents of Mossad. Mr. Jalali had received some € 250,000 in cash from the Mossad spyware service. The trial was held at the presence of a judge and a tutor at two meetings, with the presence of a lawyer and a prosecutor's representative, and his lawyer met with him twice before the trial. The hearing court condemned Mr. Jalali to death on charges of corruption through co-operation with the Mossad spy service, and the judgment issued by the Supreme Court would be appealed and the decision was notified to the lawyer. In the meantime, during his stay in Evin prison, he has been enjoying all the prison facilities, including telephone calls, access to publications and visits of the family.
Note: The authors of this correspondence, which are widely distributed daily in the form of postcards, letters and e-mails, also send them in an organized way to various departments of the Islamic Republic of Iran abroad, and even to the judiciary, do not have a direct knowledge of the case and by referring to non-governmental organization's websites and relying on the statements quoted by some individuals, write and submit allegations such "lack of access to a lawyer" " unfair proceedings" and so on. These allegations are far from the existing realities and fact. Abundance of such statements and allegations by certain organizations and not Non-governmental organizations and anonymous people, as well as their biased approach, well

reveals their ill intentions. According to the Tehran Provincial Court of 15 January, 2018, the verdict was finalized on 2 January, 2018.

Reply to paragraph 53

As for **Mr. Siamak Namazi** and Mohammad Bagher Namazi, according to the Tehran Provincial Court, Mr. Mohammad Bagher Namazi was arrested on February 27, 2016, on charges of cooperating with the hostile country of the United States, and after legal proceedings and defense hearings, he was sentenced to 10 years of imprisonment, by Tehran court, on 10 Oct. 2016 It should be noted that he has been under the supervision of a doctor and he is undergoing continuous medical examinations and he has had ongoing visits and contacts with his wife. Mr. Siamak Namazi was arrested and charged with collaborating with the hostile country of the United States on Oct. 14, 2015, and the Tehran court, after legal proceedings and defense hearings, and his access to lawyers, sentenced him to 10 years of imprisonment and extradition of 175 thousand dollars in favour of the government. He has also had the opportunity to meet and contact his mother. It is seen that expressing concern about the non-observance of the fair trial procedure regarding the persons referred to in this paragraph should be deleted in the final report.

Reply to paragraph 54

On the case of **Ms. Zaghari**, detailed information was provided in reply to the last draft report of the Special Rapporteur. However the following summary of her case is as follows: Following the discovery of documents indicating acts by Ms. Zaghari against the national security of the country, in the city of Kerman, she was arrested in Tehran Airport on the basis of a writ of arrest. She was later sent back to Kerman (place of crime) and the required investigations were carried out. According to the Iranian law, Ms. Nazanin Zaghari is considered as an Iranian citizen and his double nationality is not recognized. During her arrest, Zaghri was kept in a suit facility in Kerman Prison and regularly kept touch with her family and enjoyed visits in person. As for the allegation of lack of access to a lawyer, according to the amendment to Article 48 of the Criminal Procedure Code, access to the lawyer for access to criminal offenses is available to the lawyer and upon request in accordance with the terms and conditions stipulated in the law. According to the Tehran Province Court dated 08.08.1396, a new case was sent to court. She has a lawyer and, in the case of general health, the prison is also authorized to send her to the outpatient and, similar to other prisoners, she has had facilities of the prison as well as meeting with her family.
As for the allegation on opening of a new charge against her, the matter was investigated through the relevant authorities, which revealed that there were no new charges or cases filed against her.

Reply to paragraph 55

As for the case of **Mr. Nizar Zaka** was arrested on 18 Sep. 2015 with interim detention on suspicion of cooperating with hostile states against the Islamic Republic of Iran on the basis of the writ of arrest issued by the first branch of the district of 33 of the Shahid Moghaddas Court. He was kept in detention center No. 2-a. He is a Lebanese national living in the United States. Refering to letter No. 1336020 dated 11 January, 2017, in connection with the statement by Ms. Asma Jahangir, on the hunger strike of some defendants and convicts, including Mr. Nezar Zaka, according to the information provided in accordance with the rulings issued by the court branch No.15 of Tehran province, he was sentenced to 10 years of imprisonment and extradition of funds received from the CIA for cooperating with the hostile government. The case has been filed after appeal to Branch 36 of the Tehran Court of Appeals and the appeal has not been finalized yet. He has been imprisoned at Evin Prison since Sep. 18, 2016. It is apparent that his charge was examined by the court in a court of law and resulted in the issuance of an uncontested sentence and his espionage activities did not relate to activities in the field of human rights, and it was worth considering the statement in his case. According to a statement dated 5 Sep. 2017 by the Tehran Provincial Court he was sentenced to 10 years imprisonment and extradition of funds received from the CIA for allegedly cooperating with the hostile state of America by Branch 15 of the Tehran court; with the objection and appeal of the convict's lawyers (namely [redacted] and [redacted]) the file was sent to Branch 36 of the Tehran Court of Appeals and this branch, arguing that "the accuse has deliberately cooperated with the hostile state of America in the form of projects designed by its security services with the goal of organizing plots in line with the policies of the United States

has been in contact with decision-making centers in the field of cyberspace, including the Supreme Council of Cyberspace and the Ministry of Communications and Nongovernmental Organizations of the Entrepreneur and the active centers in the field of women and youth, and in implementing the US State Department's projects has played an important role in the plot for overthrowing the government of the Islamic Republic of Iran, and, in the light of the existing evidence in the records, the appeal filed by the Supreme Court of Appeals and its defense lawyers, and that the ruling issued by the Supreme Court in respect of the proceedings, observance of the procedure and the implementation of the matter, the received was examined and with considering the provisions of Article 434 of the Code of Criminal Procedure, the request of appeal was found as being unsubstantiated. Therefore, the appeal court refuses the request in compliance with Article A of Article 455 of the said Law."

Reply to paragraph 56

In the case of **Mr. Wang's case**, according to the received information on 23aug. 2017, he was detained on charges of espionage and was sentenced to 10 years' imprisonment and the verdict was further confirmed and he is now being held at Evin Prison. Meanwhile, he has met with a representative of the Swiss Embassy who has been in charge of the interests of the United States Government and has access to doctor and lawyer.

Reply to paragraph 57

As it was said, the pattern governing the behavior of the Islamic Republic of Iran towards Iranians residing abroad is guaranteeing their rights and those of their relatives as well as a protection for their rights in foreign countries. There are many undocumented allegations in this paragraph that are proven to be incorrect as explained hereunder:

On the case of **Mr. Sabri Hasanpour**, according to the statement of Tehran Province Justice Department of 12 Dec. 2017, "the defendant was charged with A. assembly and collusion for committing crimes against the internal and external security of the country, B. propaganda activities against the Islamic Republic of Iran; C. agitation of public opinion through cyberspace and internet; D. insulting the Late Imam (PBUH). He was sentenced to 5 years imprisonment in relation to clause A, and one year in prison for allegations of clauses B and C; and has been sentenced to two years' imprisonment in respect of paragraph D. His case has recently been re-investigated in the appeal court, as a result of which he was acquitted with the charge of clause A. He is presently serving his prison term in Evin prison.

It is worth mentioning that he has been enjoying appropriate medical service and recently he has undergone a surgery. He is regularly meeting with family members in the cabin and in person and has no restrictions on access to the telephone.

According to the Tehran Province Court, **Mr. Kamal Foroughi** Abri, [redacted], was charged and sentenced to 7 years imprisonment on charge of espionage in favor of a foreign country, to a three-year prison term on charge of assembly and collusion against security of the country, on the charge of holding alcoholic beverages to 1 year imprisonment and 74 lashes and payment of 1,375,000 Tomans in cash. The verdict was appealed and reviewed by the Branch 36 of the Tehran Court of Appeals and after revision of the case and according to the ruling dated 20 Aug. 2013, the court annulled his 3 years of imprisonment on the charge of assembly collusion against security of the country, and the remaining sentence was upheld in accordance with paragraph (a) of Article 257 of the Code of Judicial Procedure, the Code of Criminal Procedure of the General Courts and the Revolutionary Court in Criminal Matters. He has had more than 15 visits to outpatient clinics and medical forensic for medical services. He has also been examined at the presence of law enforcement agents inside the prison by medical forensic. Unfortunately, he does not cooperate with the health center of Evin prison for treatment and refuses to go to the hospital out of the prison. In addition, he has had telephone call with his wife abroad, and has had nine meetings with his lawyers, [redacted] and [redacted] more than 9 times. According to the report of 25 Oct. 2016, on the application of Article 134 of the Criminal Code, only seven years of imprisonment and extradition of 114,000 Pounds are considered as his punishment. He has been serving his prison term from 5 May, 2011.

Reply to paragraph 58

Unfortunately, in this paragraph, the Draft casts a pre-judgment without reference to a given source, and even falsely raises the allegation that there is a pattern of non-compliance with a fair trial. Firstly, it is necessary to declare the due to the lack of the source of information and

the presentation of an individual opinion, the subject is not answerable and verifiable. It should be noted that the Islamic Republic of Iran, both in law and in practice, has provided the guarantees necessary for full compliance with the standards of fair trial, as set forth in the new Criminal Procedure Code (Date of Execution: 22 May 2015) in which the legislator emphasizes on respect for the rights of the accused during all stages of the investigation, investigation and trial until the execution of the sentence (before and after the trial), including the timely access of the accused to his/her selected lawyer. And the implementation of this law is the duty of all judges and there is no torture or arbitrary action in the investigation and during proceedings; and judges of each case are required to issue appropriate provisions at the investigation stage and then to issue a sentence with proportional punishment, on the basis of the contents of the case full consideration of the argumentation of the parties. Therefore, allegation for arbitrary arrest is not substantiated. Adoption and implementation of the "Law on respect for legitimate freedoms and Protect for citizenship rights" and other laws and regulations of the country ensures non-extrajudicial and arbitrary arrest and in practice all judicial authorities are required to carry out any detention or arrest only on the basis of the laws and in a clear and transparent manner. In doing otherwise and contrary to the legal provisions, the breaker of the law shall face the legal consequences in accordance with Section 10 of the article of the above-mentioned law :and the method of action is such that in addition to the supervision of the Head of the Judiciary, through its "National Human Rights Law Enforcement Agencies", located throughout the country, any natural or legal person can file a lawsuit or report to the Secretariats of the Central or Provincial Agencies regarding the allegation of extrajudicial and arbitrary arrest and disappearance, for careful and thorough review of the cases.

Reply to paragraph 59

Despite the rigorous information presented in response to the previous report of the Rapporteur, in particular with regard to those alleged individuals, against which clear and detailed information was provided, unfortunately, in the present draft report, the same allegations are raise again without the possibility of verifying them. Obviously, the inclusion of this large volume of undocumented allegations and incorrect prejudices in the Draft Report reduces the value of the report and makes it irrelevant. In the present reply, ample information is provided on the absence of torture and the supervision of prisons, and also on the method of investigation and prosecution revolutionary courts.

Firstly, as detailed below, in the Revolutionary Court, as in all other courts, the rules of procedure are respected and the rights of the defendants are guaranteed. Moreover, given the specific nature of this court and the handling of drug offenses, and the frequent acknowledgment of official and international statistics that the vast majority of executions are related to drug offenses, it is evident that the role of this court in issuing relevant rulings is bolder in comparison with other courts. For emphasis, the manner of treatment with drug offenses in these courts and its fair trials, including the presence of a lawyer, the number of judges and the number of investigative authorities, further details shall hereunder be presented. Accordingly, it is necessary to correct the prejudices contained in this paragraph.

All courts are based in the judicial system of the country, even the Supreme Court, are required to comply with the provisions of the Criminal Procedure Code. In the first chapter of section 3, the legislator has defined the organization and jurisdiction of the criminal courts, and Article 294 has divided the criminal courts into criminal court one, criminal court two, Revolutionary Court, court of juveniles and Military Courts. The Revolutionary Court, in accordance with Article 297, is established to deal with important crimes found in the law, with the presence of the judge and two mentors, and also meets for the investigation of non-important crimes at the presence of judge or a supervisor. The Note under the Article states that the provisions of the criminal procedure 1, as set forth in this law, are in force in the Revolutionary Courts, in cases when it is reviewed by a plurality of judges. It should be noted that according to Article 303, the legislator has given the Revolutionary Court the assignment of dealing with offences including all drug-related crimes, psychotropic substances and drug precursors. Thus, it is observed that trials of the Revolutionary Courts are similar to other courts and in accordance with the law and all the rights of the defendants are guaranteed.

As for the fair trial and the requirement for the presence of a lawyer in the Revolutionary Court, it should be mentioned that by explicit stipulation of Article 22 of the Code of Conduct on Amendments to the Law on Counter Narcotics and the Verdict on the Unity of the general board of the Supreme Court, as well as the Uniform Article adopted by the Expediency Council of 1991, the court is obliged to inform the accused of all crimes committed, for which the law has stipulated life imprisonment or execution, in order to adopt their own lawyer, and

in the event of the defence's inability to afford a lawyer , to appoint a lawyer. According to Note 1 of this Article, the presence of appointed lawyers is mandatory at the hearing. In addition, before the trial, the lawyer should have the opportunity to study the case and prepare a defense bill. If the abovementioned provisions are not complied with in the case, the judgment given in the Supreme Court shall be void.

The use of the term "arbitrary detention" in this paragraph is in fact unconstructive and inappropriate, since compliance with the provisions of the Criminal Procedure Law is based on the rules for the issuing of arrest warrants at the investigation stage and the principles of fair trial in the stages of hearings and appeals and in case required, retrials are stipulated by law. The Supreme Court guarantees observance of all the legal requirements and any deviation and breach of law shall be met with legal consequences. Sends the branch to the same address. Therefore, the allegation on arbitrary arrests is completely groundless. In addition, in accordance with Articles 9 and 10 of the law on respect for legitimate liberties and protection of citizenship rights, any natural or legal person can file a complaint on arbitrary detention or torture to central secretariats of Provincial Agencies for the Supervision of the Good Law Enforcement of Citizenship Law, for the required investigation.

Reply to paragraphs 60 and 61

In these paragraphs, false allegations are raised in relation with lawyers in Iran, without mentioning a source, which is a matter of serious regret and due to the lack of mentioning the details and they are not verifiable. This is despite the fact that in Iran, ordinary laws, including criminal procedure, civil procedure and regulatory rules, have protected the independence of judges and lawyers at all stages of proceedings, including at hearing, appeal or final stages. Also, lawyers have full independence in Iran and any alleged violation of law by them, shall be dealt by Bar Association, with an experience of more than 90 years. Therefore, the allegation on the violation of the rights of lawyers and the possibility of pressure on them is in vain. In practice, in accordance with the previous procedure, each accused person introduces his lawyer to the judicial authorities.

Similarly, according to the Article 348, in the crimes under subject A, B, C, D (Article 302) of the hearing court, the session may not meet in absence of defendant's lawyer. If the defendant himself does not appoint a lawyer or his lawyer does not appear in court without a valid excuse, the appointment of a lawyer is mandatory. If the lawyer is not present at the hearing without a justified excuse, the court shall dismiss him or her, and shall appoint another attorney. In addition, in the new criminal procedure law (date of execution22 May, 2015), full respect for the rights of the accused at all stages of investigation and trial, until the enforcement of the sentence (before and after trial). The legislator has emphasized the issue of access to the lawyer of choice by the accused, implementation of which is entrusted to judges. In the course of investigations and then proceedings, no torture and arbitrary action is possible and the judges of each case are obliged to issue appropriate writs of attachment at the investigation stage. Any judgment should be issued with full attention to the arguments of the parties to a case.

Reply to paragraph 62

The Islamic Republic of Iran welcomes the Special Rapporteur's attention to developments realized in the field of women's rights and participation. The Iranian government has adopted many of the major human rights instruments, including the Universal Declaration of Human Rights, the Covenants, the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities and a number of their optional protocols, including the rights of women and girls. In addition, domestic laws, including the Constitution, the Civil Code and the Islamic Penal Code, the Family Protection Act, and many other laws, also deal with sensitivity, the issue of protecting women and children. There are many other measures to promote women's rights. In addition to incorporating provisions on women's rights in the Citizens' Rights Bill, the President has established the post of Deputy President for Women and Family Affairs, which further indicates the Government's commitment to promote and protecte women's rights. In addition to the presence of women in high-ranking positions of the Government, such as the deputy and assistant to the president, ambassadorship and the deputy minister of petroleum, the number of women in the posts of the governorate has also increased as the introduction of the flow of political empowerment.

Reply to paragraph 63

As the Special Rapporteur also acknowledges, in accordance with provisions of the Civil Code, a wife can enter into marriage while raising her condition conditions officially written in the marriage contract. Also, according to the Note under Article 1133 of the Civil Code, a woman may apply for divorce from the court, subject to the conditions laid down in civil law. In addition to the clauses cited in this Note, a woman may apply for divorce, by entering another condition in the contract, which usually has 12 qualifications by default in the marriage documents, which the couple are required to study before signing the marriage contract, including the principle of division of owning and assets into two, after divorce.

The purpose of categorizing different types of jobs is to support women's employment by prioritizing jobs that are more related to women's physical and psychological characteristics, and in other jobs where gender is not in question, employment for women is discussed without discrimination. The overall goal of this policy is to eliminate barriers to women's employment in all possible ways, including the necessary laws and regulations and the provision of facilities by the executive departments of the country. Also, there are currently no statutory barriers to the employment of women in civil law, and the freedom to choose a job is stipulated in the constitution, and also equal pay for equal work in labour law, and the prohibition of gender discrimination, race and ethnicity are anticipated in relevant legislations.

Also, with regard to Article 1117 of the Civil Code, according to which a husband may prohibit his wife from a profession or industry that is in conflict with his family or his dignity, the following considerations shall be made:

- Paternal authority is not absolute in this Article and it is bound to the family and dignity of the spouse or wife;

- A wife's denial of employment should be sought through the court and finally the court decides on the correctness of the wife's request;

- The corresponding clause of this power is also anticipated for the wife in Article 18 of the Family Protection Act of 1974, and a woman may also prohibit her husband from work which is detrimental to his family and his dignity

Reply to paragraph 64

In spite of the extensive information provided in response to the last draft report of the Rapporteur, which was based on the existing facts about progress towards promoting women's rights in the Islamic Republic's laws and practices, previous allegations have been repeated. Here's a brief summary of the earlier provided responses:

On the issue of letting married women out of the country, a draft has now been submitted to the parliament by the women's parliamentary fraction to amend this law. In addition, considering the geographical location of the Islamic Republic of Iran, some legal restrictions are introduced for legal consideration, on the movement of women have been planned for the purpose of combating human trafficking and the seduction of women and girls.

On the issue of custody of children, it is worth noting that the Civil Code considers the custody of a child during parental days as a parent's responsibility, which means that no parent can disassociate or compromise this legal assignment. For the custody and caring of a child whose parents are separated from each other, the mother enjoys priority to the age of seven (regardless of the child to be boy or girl), and then custody is with the father. After the age of 7, if there is a dispute between the parents on the custody, the custody of the child, with due regard for the child's best interests, is determined by the court. Accordingly, the custody of a child after the age of seven is not completely owed to the father, but when the parent and child of the child differ in their custody, the criterion for determining the custodian is merely the expedient of the child; It may be the case that due to incompetency of the father and on the discretion of the court and the expediency of the child, it leads to the conclusion that the custody of the child to be transferred and borne by the mother. In any case, expenses of living shall be borne by the father. Also, in the event of one of the parents' death, the custody of the child (minor or incapacitated) will be with the parent who is alive; regardless of the fact that the deceased might have been the father of a child and he might have appointed a guardian for the child. For example, with the death of his father, the custody of the child is with the mother, not the grandfather of the child. Article 43 of the Family Protection Act also provides for the custody of children whose fathers have died, with their mother, unless the court decides to grant custody of the mother against the child's interest at the request of the victim or the prosecutor.

Regarding the citizenship of the offspring of Iranian women married to foreign nationals, in this connection (i. e. determination of the nationality of children born of Iranian marriages with foreign nationals) the civil law has once made revisions in 2006 and it has given new privileges to these women, observing the national interests and the interests of the children. Again, this year, a draft has been sent, by parliamentarians to the Commission of Councils and Internal affairs of the Parliament for addressing the issue. It was confirmed and referred to the Parliament's Judicial Commission. The draft is currently under consideration and will be submitted to the Executive Board after approval by the commission.

It should also be pointed out that mere non-adherence to a convention, to which some other countries have not acceded, should not be a precondition for women's status in a country. It should also be noted that the bill referred to (increase of population and preventing birth decreased) has not yet been ratified and it is in the working program of the parliament.

Reply to paragraph 65

Given that in parts of the country due to geographical circumstances, girls and boys have reached the age of physical and sexual maturity at an early age and they intend and decide to be married, and in the past their marriage has been carried out without supervision of the law, the legislator subjects this issue to observance of the provisions of Article 1041 of the Civil Code (marriage contract of a girl before reaching the full age of 13 and the boy before reaching the full age of 15 shall be subject to permission of parents and also subject to the expediency and decision of the competent court). Also, according to the custom of nomads and some villages, many of the cases of marriage at an early age are uncontested and marital age is postponed. It should be noted that a considerable number of marriages are concluded at this age, in accordance and in the framework of cultural and customary practices. The legal system is strictly supervised by the law in relation with this group of marriages. These regulations, including by reference to Articles 646 of the Islamic Penal Code (adopted in 1996), the provisions of Article 1041 of the Civil Code, and Article 50 of the Family Protection Act (2012), are in force. Also, according to Article 56 of the new law, any official notary office is required to register a marriage, otherwise without certifica ion or violation of the provisions of Article 1041 of the Civil Code, they are punishable by the fourth category of the law of the Islamic Penal Code (denial of employment as a notary). Article 45 of the same law states: "It is imperative to observe the expediency of children and adolescents in all decisions of the courts and executive authorities, and courts usually do not easily vote for the requested marriages in order to adhere to the best interests of boys and girls as well as adolescents. It should be noted that while precautionary laws prohibit forced marriages and perpetrators can be prosecuted, on the other hand, the court, with due care and observance of the expediency, only authorizes some of the requested cases for adolescent marriages. In urban societies, according to the statistics center of Iran, the average age at the first marriage for men has raised from 24.1 years of age in 1976 to 26.7 in 2011 and for women, in the same period, from 19.7 to 23.4 years of age.

In spite of the reservation of the Islamic Republic of Iran to the Convention on the Rights of the Child and the necessity of compliance of its provisions with the Islamic Canon Law, important documents have been approved, for the sake of generosity and kindness, in the Islamic Republic of Iran for the protection of persons below the age of 18.

Reply to paragraph 66

Unfortunately, false allegations have been raised as a consequence of misinterpretation of the Islamic law, which needs to be corrected. Firstly, according to the existing information, there is no case of execution of stoning sentences in recent years, and this is in the light of the more precise attention as well stipulations in the Penal Code. Secondly, according to religious teachings in Muslim countries, sexual relations outside the family framework are denounced and are considered illegal by legislature, and the crime is punishable by appropriate penalties in the event of a crime. For this reason, both ethical and mental aspects of family formation have been advised and legislated. This is more advanced than the situation of free and unreliable relations in many non-Muslim communities. In addition to maintaining a family commitment in the form of a legal marriage link, in addition to ensuring the health of the generation and the ethics of the community, it prevents other crimes to happen. As in many cases of crime leading to murder, sexual relations outside the family bond have created the motive for murder cases. It should be noted that Islamic limits are precisely outlined in the penal code of the country and

without any ambiguity; and in addition to the issuance of a verdict in the hearing court, it is necessary to be upheld by the Supreme Court of the country. Obviously, at the time of execution, due attention is given during the formal proceedings.

As mentioned in the preceding paragraphs, the use of the punishment of whipping or other Islamic Punishments, which, under the circumstances, and under the discretion of the judge, are also subject to replacement by cash fine. All these are stipulated in laws to deter similar offenses and to reduce the use of imprisonment as a result of which considerable social, moral, and economic consequences are followed; and this punishment is not compatible with the Western interpretation of the concept of a degrading punishment. Also, given that the new Islamic Penal Code provides for alternative sentences to be used instead of stoning, there has not been a case of such a sentence over the past few years. Meanwhile, the issue of rape has been criminalized in Iran's laws and it has been under consideration in a substantive and precise manner. Therefore, any allegation in this regard should be proven by the court.

Reply to paragraph 67

While emphasizing that the allegations, raised in this paragraph, have been raised with grandiosity which do not conform to the reality of the society. It should be noted that requirements for codes of dress are defined and applied by relevant laws and observed in all countries around the world. The Dress Code in each country, depends on the cultural and social context of the community and on public order and good morals. The dress of women in the Islamic Republic of Iran is also in line with the Islamic law and values, which in turn is derived from the Constitution of the country. It should be noted that the dress Code requirements are not specific to women and it is applied to men; and only their "Hodoud" (punishments) are different.

In addition, the Code of Cover in the Islamic Republic of Iran is very diverse, due to cultural and ethnic diversity, so that women members of Iranian ethnicities follow their own ethnical traditions in choosing their kind of dress. Even some of the Islamic "Fatwa"s are defined for them by Jurisprudents, on the basis of those ethnical traditions. Observing the Code of Cover has not created-any restrictions on the presence of Iranian men and women in different social, economic and cultural scenes, but, vice versa, it has led to increase of respect for women and to their true personality. As a result of this type of cover and respect, the level of violence and sexual abuse at the workplace is ignorable in Iran in comparison with Western societies.

According to the laws of the country, any violation of administrative provisions is punishable by disciplinary action and, if it is found to be criminal in nature, punishable by a competent judicial authority, in compliance with the principles of fair trial. Obviously, offenders in any community are dissatisfied with enforcement of law and the related punishments or penalties, but public order and public security are protected by the enforcement of laws and regulations that have been approved by the competent authorities and adopted through a democratic process.

Reply to paragraph 68

Refer to Paragraph 64.

Reply to paragraph 69

It has always been a conituous effort by Iran that the rights of all individuals of the religious faiths to be guaranteed in accordance with the law. As it has been presented in detail, in the Iranian government's reports and official documents, in addition to their political presence at the high level decision-making positions and observance of their legal protections, there are numerous programs for religious minorities, including appropriation of significant budgets to promote the general status of the community and to help them to carry out their religious rituals and education and rebuild religious sites. Also, people belonging to sects enjoy civil rights under the law. However, in the laws of Iran and also in the administrative procedure, anyone committing acts, determined by the legislator to entail punishment, regardless of any belief or idea, is punishable after a fair trial. The punishment is stipulated by law to be proportionate with the committed offence.

The suitable status of ethnic groups and their political, economic, social and cultural situation, and the guarantee of respect for citizenship rights for all Iranian citizens, are repeatedly presented in the form of official reports of the Islamic Republic of Iran with relevant documentation that can be referred. Meanwhile, in Iran's laws, individuals are punishable for

committing an unlawful act, and it has no connection, whatsoever, with being affiliated to ethnic groups.

Contrary to the allegation made in this paragraph, the strengthening of the literature and the language of the Iranian people is on the agenda of the Government, and this is supported by establishing Kurdish, Azeri and Arabic language and literature seats in the universities, as well as the establishment of cultural centers in the language of ethnic groups. Official reports of the Government on these activities are available. Thus, It is necessary to delete this paragraph in the final report.

Reply to paragraph 70

The official and practical position of the Islamic Republic of Iran regarding the followers of this sect is the need to respect their beliefs and citizenship rights. In Iran, no one is merely following a belief or an opinion; on the other hand, no offense or crime is neglected because of the perpetrator's affiliation to a specific group or sect.

It should also be noted that, contrary to the allegations made in this paragraph, Yarsanis in Iran enjoy their full rights and protection and their books are licensed by the Ministry of Guidance, and even have a special publication entitled "Jeihoon". Observance of their beliefs has been to the extent that, in accordance with the directive of the Organization of the compulsory conscription (Nezam Vazifeh), the members of this sect are exempt from the obligation to shave their mustache during the military service. For other allegations contained in this paragraph, no document has not been found and thus they are deniable. Therefore, this paragraph should be deleted from the report.

Reply to paragraph 71

Prosecuting crimes committed by **Baha'is** is not specific to the offences allegationed in this urgent appeal. Investigations show that since January 2016 to August 2017 more than tens of Baha'i citizens have been arrested on charges of issuing bad checks, malversation, capture, smuggling, acts contrary to public chastity, and so on. These citizens have been put to trial upon issuance of indictments. Also in several cases Baha'i citizens have filed complaints about one another for various offences. Also during this period two cases of child kidnapping and one case of murder of Baha'is have been reported. In these cases, like the cases of other citizens, transparent judicial proceedings were conducted, the kidnappers were arrested and the huge sums of money were restored. The court is issuing sentences for the accused. Therefore, ordering a number of offences relating to Baha'is and drawing the false conclusion that Baha'is are under systematic persecution, is an unacceptable measure.

Unfortunately, the unfailing and extremist supports for Baha'is in Iran, by some Western governments, which are provided because of political motives, and are sometimes repeated by international organizations, have resulted in shocking abuses by some Baha'is. For instance, Ms. HanichMudarresTehrani has asked her Baha'i relatives in Iran to forge a judicial indictment stating that she has been sentenced to capital punishment for charge of apostasy, so that she could use it to apply for an asylum in the United Nations office in Turkey.

Here we shall present sufficient information regarding the Baha'is and respond to all the allegations that have been brought up in the correspondence, which will prove that the allegations are baseless:

A. The general condition of Baha'is in Iran

The citizenship rights of followers of different sects including Baha'is, as well as followers of religious minorities, are observed in Iran. Given that in Islamic teachings, inspection and inquisition of beliefs are severely prohibited and as it is stipulated in the article 23 of the Islamic Republic of Iran's Constitution that "inquisition of beliefs is forbidden, and no one is liable to molest and prosecution merely because of holding a certain belief"; despite numerous political and media propagandas, particularly by some Baha'i representatives, no one is jailed nor prosecuted purely on the basis of holding a certain belief. It must be noticed that repeating unfounded allegations cannot result in their acceptability. Based on the information which shall be presented below, in Iran Baha'is enjoy citizenship rights and numerous training, health, educational, and economic facilities; such that they have big economic corporations despite their small population and carry out importation and exportation activities. They have no poor populations.

B. The economic, social and cultural condition of Baha'is

Based on the current laws and policies of the Islamic Republic of Iran, all Baha'is enjoy citizenship rights and for this reason they enjoy a relatively favorable condition in cultural, economic and social issues. Baha'is in Iran owe their success in economic activities to the loans that they have received from government departments, especially from banks and the ministries of Industry, Mines and Business; Agriculture Jihad; and Cooperatives, Labour, and Social Welfare. The Islamic Republic of Iran abides by the responsibility to observe justice in judicial rights and protect the citizenship standards for members of this sect in judicial courts.

Despite their small population, Baha'is have performed many economical activities and are active in areas of production, trade and services. They are also performing activities as members of different guilds such as the glasses guild; heating and cooling installations; elevator; technical engineering, civil engineering, agricultural and animal husbandry companies; cosmetics and so on. Very frequently they have signed contracts with governmental organs. Governmental companies and institutions are even the main customers of some of the products of Baha'i companies and factories. Additional to this, the initial capital for establishing the aforesaid companies and factories and keeping them active has been supplied via receiving big bank facilities.

In this line, we can refer to theTavanRaheSanat company, ShahinMafsal, Paksaz Plastic, Bisan Pars, Pars Paya, FanarGhateh, ZibaRakhsh Arak companies and the Mansour Asia trade company as instances. Advertisements for the products of these companies are broadcast in numerous Iranian media. Baha'is use the business card to perform commercial activities and their overall wealth is such that they send financial aids for Baha'is in other countries, such as African countries, on an annual basis. Moreover, the general economical situation of Baha'is in Iran is such that taking into account the cash subsidy that they receive (like all other eligible Iranian nationals), there is almost no underprivileged and poor person among them and they all enjoy a relative welfare. Regarding the employment of Baha'is in governmental departments, it is worthy to mention that those Baha'is who are members of the Baha'i illegal formation are prohibited from being employed in such departments. Therefore, if a person is not a member of the dissolved and illegal Baha'i formation, there is nothing to stop him/her from being employed in the government; as some Baha'is are already employed in governmental bodies.

C. Cultural and religious facilities for the Baha'is

In Iran, Baha'is use cultural and religious facilities and hold sectarian educations for their children since the age of 4 in their kindergartens. They attend all educational levels in different educational institutions of Iran. All Baha'is can freely perform their personal rituals. They also perform their rituals congregationally once in every 19 days in local circles known as ziyafat, which are held in all the cities that have a small number of Baha'is. Additionally, multiple Baha'i websites are presenting cultural products of this sect. They also have many cemeteries in different areas of Iran and use them exclusively (while in many European countries, religious minorities who have a population of several million, have to bury the bodies of their dead members in an area of Christian cemeteries, and that has to be in a coffin, according to the Christian religion).

D. The social condition of Baha'is

Although Baha'is form a very small population in Iran, they have no limitations regarding becoming employed in important jobs such as becoming doctors, establishing pharmacies, becoming employed in medical centers and teaching in universities and the like. Also it is observed that a number of Baha'is are employed in health and medical centers and Baha'i doctors have opened up clinics, laboratories and pharmacies in different cities without any limitation, with license from the ministry of Health.

E. Educational facilities for Baha'is

Based on paragraph 3 of the article 3 of the Constitution, training and education as well as physical education are free for all in all levels and are of the duties of the government which

are provided for Baha'is as well. As it was said, their special sectarian educations are provided by themselves and start from kindergarten and continue. According to educational rules and regulations, the Islamic Republic of Iran's higher education centers are obliged to cover all Iranian nationals regardless of their religion, sect and inclinations. Based on Iran's laws, no one has the right of inspection of and inquisition about individual's personal affairs.

Baha'i university students and graduates: given that there is no inquisition of beliefs in the Islamic Republic of Iran, there is no exact statistics about the number of Baha'is who are graduates of and students in Iran's universities. In some occasions, the presence of some Baha'is has been found out by chance. For example: Ms. SaminHusseini, Ms. BasimehKamjoo, Mr. RoozbehZohdi, Ms. Ferial RahimianKhormazard, Ms. Roshanak Safi Ardestani and Ms. NedaSattarnejadOskooyi. The presence of tens of Baha'is in all levels of higher education (BA, MA, and Ph. D.) in Iran's universities is a confirmation for the fact that individuals are not treated based on holding a certain belief. It should also be noted that the presence of even one Baha'i in Iran's higher education centers rejects all the false allegations.

About the scientific information provided in the historical programs of the media, it must be noted that historical and documented realities cannot be altered based on the desires of sects and individuals. The mentioned allegation is similar to omit the name of Hitler and his party as the beginners of the World War from historical books in order to prevent insulting the Nazi party. What is prepared in the programs of Iran's media is based on the theories of historians and researches; they contain no insulting words and include purely historical and scientific information.

Investigating incidents and historical documents is of the requirements of freedom of expression. Criticizing views cannot be against the international criteria of freedom of expression, particularly when the criticism contains no insulting words. Considering the records of the one hundred years long cooperation of Baha'ism with the tyrant Shah and the SAVAK[1], no restriction can be set for the statement of history. Moreover, official centers have always tried to direct criticisms toward the past history or deviant ideas of sects and to exclude individuals. On the other hand, the responsibility of the ideas expressed by individuals lies with themselves; particularly members of the parliament have extensive rights to express opinions about the issues of the state.

F. the sectarian structure of Baha'is in Iran

Based on Principle 19 of the Islamic Republic of Iran's Constitution, Iranian people, regardless of their clan and tribe, enjoy equal rights. Additional to this, based on the twentieth Principle of the Constitution, all people of the nation, whether man or woman, are equally protected by law and enjoy all human, political, social and cultural rights according to the Islamic criteria.

On the strength of articles 12 and 13 of IRI's Constitution, the official religion of the State is Islam. Zoroastrian, Jewish and Christian Iranians are the only recognized religious minorities who are free to perform their rituals within the limits of law and act according to their religion in their personal affairs and religious teachings.

Beside the mentioned religious minorities, the citizenship rights of followers of different sects, including Baha'is, are observed. It is evident that the citizenship rights of individuals can be observed if they perform their legal duties; since the validity of any right is conditioned by performance of the mutual duty and this legal principle, i.e. the existence of a duty in return for a right, is a known principle in most legal systems.

Given that inquisition of beliefs has been strongly prohibited in Islamic religious teachings and as principle twenty three of the Islamic Republic of Iran's Constitution stipulates, "it is forbidden to enquire about beliefs and no one can be prosecuted merely because of holding a certain belief"; despite numerous political and media propaganda, particularly by Baha'i representatives, no individual is jailed or expelled from university only because he/she holds certain beliefs.

The illegal and political Baha'i formation is administered by a hierarchical sectarian system. The center of this organization is located in the Occupied Palestine and at the lower levels there are the two main pillars, i.e. "continental counsels" and the "international community". These two pillars have very close relations with even lower levels such as the "friends of Iran".

[1] Organization of Intelligence and National Security, the secret police, domestic security and intelligence service established by Iran's dictator Shah

Eight boards and the national-provincial mediators are supervised by the friends of Iran. All eight boards have direct influence over the students who are members of this organization. These students receive directions from Baha'i city officials, and city officials receive directions from provincial officials who are in turn supervised by national-provincial mediators. Some of the hierarchical orders relating to educational issues contradict their citizenship rights.

Unfortunately, it is quite normal to enquire and enforce beliefs in the organization of the Baha'i sect; such that if a Baha'i chooses Islamic teachings for the religion test, he/she will be put under organizational pressure to choose between continuing his/her education or being deprived of the Baha'i sectarian advantages. Once again, it is brought to attention that the Islamic Republic of Iran's educational centers, as in other countries, are obliged to implement rules and regulations. If individuals, regardless of their religion, sect and belief, respect those laws and observe them, no one will have the right to exercise the slightest persecution against them. Otherwise, however, in order to ensure the observation of and respect for the rights of others, punishments have been determined for the violators and offenders.

On the other hand, it is noteworthy that paragraph 3 of article 18 of the International Convention on Civil Political Rights stipulates that: "freedom to express one's religion or beliefs cannot be limited unless what are exclusively predicted by law which are necessary in order to maintain public security, order, health or morality or the basic freedoms and rights of others". Also based on article 19 of the mentioned convention, freedom of belief and expression are conditioned by respecting the rights and dignity of others as well as protecting public order and security or public morality or health.

Despite the official announcement by competent judicial authorities regarding the dissolution of the illegal Baha'i organization, some Baha'is are still performing activities, influenced by the dissolved organization. These people carry out provocative and illegal organizational activities and propagations in Iran's universities which are against the regulations of Iran's higher education system. Those Baha'i students who observe educational regulations are put under pressure by the illegal Baha'i organization. They are administratively and spiritually expelled and deprived of family relations, as it has been done about "BehnooshSabeti" and tens of other Baha'is. Also a considerable number of these students are forced to give up attending the university, which was the case with Ms. "Sara NaddafianGhamsari". It is evident that these are small instances of the clear violation of citizenship rights and imposing sectarian policies by the Baha'i organization.

G: International documents confirming the good economic situation of Baha'is in Iran:

As was mentioned, the economical situation of Baha'is is completely the opposite of what has been stated in the allegations. Additional to official reports, some international institutions have approved their appropriate conditions; including a report which was presented to the committee on implementation of the standards of the ninety seventh international conference on labor (page 90 of the recorded report of the committee's negotiations (19 Part II/90) contains the following):

The ILO technical assistance mission in 2007 had had an opportunity to meet a member of the Baha'i community who was a successful businessperson in the high-tech sector. Many of the circulars regarding the Baha'I that had been mentioned were fabrications; others had been repealed.

Considering the firm resolution of Iran's government regarding the realization of human and legal rights of all Iranians, particularly in implementation of provisions of the obligations relating to convention number 111, it has decided to take a step toward recognizing the legal obstacles to the aforesaid arrangements in order to modify them and guarantee their implementation, with the help of experts of the three powers. The government has prepared the bill of the law on comprehensive prohibition of discrimination in employment and education, so that it would go through the process of ratification after receiving expert advices. This issue was reported to the International Labor Organization by the representative of the government and it was noticed in page 91 of the report (19 Part II/91) in the summary, conclusions and enactments of the committee.

Furthermore, the list of 77 Baha'is, allegedly listed in the annex was examined, and a considerable number of them were unidentified due to the lack of references to the details, and number of them have been prosecuted for offenses such as membership in the illegal organization and propagation in favor of the organization, a number of them are sued by private plaintiffs and a significant number of them are now free. The report, with a false sum up of 77, seems to have sought to create a false sense of prejudice on their situation, and the

provided detailed explanation, proves the allegations to be baseless and unsubstantiated. Therefore, it is necessary to amend this paragraph of the draft report.

Reply to paragraph 72

Unfortunately, in paragraph 72 of the draft, there are incorrect statistics that need to be corrected. The presentation of the execution figures and making a relation between it and a specific ethnic group is totally distorting and inaccurate; because if it is intended to indicate that there is a rational relation between the executed drug offenders and the deliberate murder of a number of Kurds, this separation is seriously misleading and ill intended. Article 19 of the Constitution states that the people of Iran, from any tribe and ethnicity, enjoy equal rights. Also each punishment is in proportion with the committed crime which is defined by law; and if it is meant that people are sued and prosecuted, or executed, merely because of their ethnic or religious minority affiliations, that is a fabricated, unsubstantiated and undocumented allegation in the draft. The investigation of the crimes by citizens with at least eight criminal offenses, referred to in this paragraph, does not imply persecution, specially, persecution of a particular ethnic group. It should be noted that these eight criminal offenses are punishable in the court of law in the same manner and without discrimination. Execution of 64 prisoners is a mere fabrication of lie. Therefore, it is necessary to remove this paragraph from the final report.

On the other hand, terrorist movements and crimes in some parts of the border are due to their activities in neighboring countries more than in other parts of the country. It is natural that the issue of fighting terrorism is being pursued seriously, and in this issue the main problem is the occurrence of crime and not affiliation to group of ethnicities in the country. It should be noted that, contrary to the allegation, the Kurdish people in Iran have a high rank, and even the good relation between Iran and the neighboring Iraqi Kurds has been to the extent that the recommendations of Iran were considered in the question of the referendum on the disintegration of the Kurdistan region of Iraq. And the crisis was managed as best as possible.

Reply to paragraph 73

As for the case **of Ms. Zeinab Jalalian**, a detailed respons was earlier sent to the communication of the Working Group on Arbitrary Detention, and despite the fact that this response had reached the secretariat of the Working Group, before their meeting was held, it was rejected to be included in the agenda of the WG on the pretext of the expiration of the due time. Therefore, the reference to the working group should be postponed until a re-examination of the subject. Here, the same responses of the Islamic Republic of Iran to the WG, containing the legal affections and the reference to the health situation of Ms. Jalalian, and her imprisonment in a prison in the vicinity of the residence of her parents are provided.

Prejudice against judicial cases, regardless of its nature and the use of the title of "political prisoners" for members of terrorist groups, promotes the spread of terrorism and it provides an umbrella support to them. The following paragraph provides adequate information about Ms. Zeinab Jalalian and the observance of human rights standards when fighting terrorism:

According to the judiciary of Kermanshah province, Ms. Zeinab Jalalian, [redacted], charged with: 1) armed action against the Islamic Republic of Iran; 2) membership in the PEJAK terrorist group; 3) transportation and maintenance of unauthorized weapons and military equipment. 4) Propagation activity in the benefit of anti-government groups, was prosecuted and sentenced to death, according to the judgment of 3 Dec. 2008, by the court of Kermanshah, in considering of the charges made against him in paragraphs 1, 2, 3 and 4, which constitute armed action against the Holy system of the Islamic Republic of Iran. The verdict was upheld after the appeal of the defendants and their lawyers to the appeals court of Kermanshah province. As a result, the court, in accordance with the court's ruling dated 6 May, 2009, dismissed the appeal. Also, on her request to the Amnesty Commission, for pardon and amnesty, during the visit of the Supreme Leader to Kermanshah province, eventually, according to the statement of Kermanshah County Court, her request was met with affection and her punishment was commuted. Also, according to the court of Kermanshah province, she is held in the Kermanshah correctional center, where the other female prisoners of the province are held benefit from the support of the social workers of the center and the proper health facilities. It should be noted that in order to exert a greater inclination toward her, she was transferred, on her own request, to the prison of Khoy (near his family) on 22 Nov. 2014. Considering the nature of the case and the wide range cooperation

and affection toward her, the other allegations made in the Draft are unsubstantiated. It is thus noticed that despite her terrorist activities and armed action, he was pardoned and her punishment was commuted.

Reply to paragraph 74

As it was said, in Iran, religions and people live peacefully together, and in this regard the Islamic Republic of Iran is a successful model. With a general look and comparison, the facilities and religious sites of different ethnic groups are very significant. There are over 10,000 Sunni mosques in Iran (for every 600 people there is a mosque). While there is a mosque for every 1300 Shi'ite people who make up a large population of the Islamic Republic of Iran. In addition, there are over 3,000 Sunni religious schools in Iran. It should be noted that, as mentioned in the previous paragraphs, there are no restrictions for different ethnic groups and their application to various executive positions, including councils and local and provincial and national administrations, and embassies of Iran in foreign countries. Presently there are 19 Sunnis members in the Islamic Consultative Assembly (Parliament) and have been appointed to many provincial offices and even sent to foreign countries as ambassadors of the Islamic Republic of Iran. This all indicates the Islamic Republic of Iran's attention to them and to their presence in the h decision makings of the country.

In Sistan and Baluchestan province, it is possible to refer to the improvement of living conditions in provinces with a majority of the Sunni population. This province, with the majority of Sistani Fars and Baluchi Fars, has been affected by the colonial program of the British government in the last regime, lived in the worst possible economic situation, but during the 38 years of establishing the Islamic Republic of Iran and through numerous economic and cultural programs (as a deprived area) they have received more funds and investments in comparison with advanced provinces; in spite of its close proximity to the heavily backwarded terrorist introducing provinces of the eastern neighbors of Iran, the economic, cultural and health development indicators of this province are in their best ever situation. The existence of numerous universities, hospitals, development of roads and ports and political participation of the tribal elders of the province in the posts and executive positions is very significant. In addition to the presence of representatives of the people of this province in the Islamic Consultative Assembly, in the Council of Leadership Experts and in provincial and urban and academic positions, a remarkable social transformation took place, in a way that for the first time in the history of the province, an educated Sunni Baluchi woman has reached the presidency of the City Council, and no significant social opposition has been observed from the traditional context of the province.

Unfortunately, the allegations made in this paragraph have been raised without any attention to the serious plans of the Iranian government to uproot poverty from this province. In addition to the continuity of these programs over the past four decades, the present government has been able to work with planned efforts and use of indigenous forces and provide security to the people and help with the blooming of prosperity and development of the province. The most important economic projects of the Government in Sistan and Baluchestan province include: completion of Chabahar-Zahedan railway and its connection to the national railway, development of the port of ShahidBeheshti, plan of 46 thousand hectares, irrigation under pressure for 100 hectares of agricultural land in the center and south of the province, Construction of gas pipeline to Zahedan and other parts of Sistan and Baluchestan, activation of Sistan and Baluchestan border markets, construction of the Chabahar Petrochemical Complex (Makran), development of the Makran coast and even a special appreciation of the currency reserve for implementation of further development projects. The province will be in the next year's budget. Regarding the issue of people who do not have birth certificates, despite the fact that a large number of illegal refugees live in this area, in order to help them to have access to education, health and other social facilities, they have been issued with a temporary identification card to guarantee their access to the guaranteed rights. Therefore, it is necessary to amend this paragraph of the draft.

Reply to paragraphs 75-77

This section of the Draft report, disregarding the realities of Islamic countries, has raised incorrect interpretations and even prejudices of the sexual orientation of some individuals in Iran. Interestingly, these beliefs still do not work in many countries with the resistance of people, churches, and some political parties, and in some states in the United States, for example, they still stand up to register homosexuality and their presence in the army is

seriously criticized. The promotion of immorality and the weakening of the family status and the expansion of unrest in the Western societies have resulted in many problems which have also been criticized by independent thinkers. The governments of these countries, with the false propaganda and support for homosexuals, who live in their territory, have granted citizenships to them, allegationing that they are at risk. Unfortunately, the promotion of Western culture to other countries has led to the promotion of homosexuality as an expression of the freedom of human choice. While the Shari'a view of Islam, the state of family is extremely important that the result of the marriage of men and women leads to the survival of the human race, but the establishment of sex between the two homosexuals is a barrier to the survival of the generation and endangers the basics of the family. According to the holy laws and teachings of Islam and the laws and regulations of the Islamic Republic of Iran as well as the culture and tradition of the society and in view of the importance of family, unconventional acts of conflict with the law, such as those of homosexual orientation, are totally rejected. But there is a supportive approach toward bisexual people and the competent authorities and social institutions support provide them with their requirements..

Allowing transgender people to undergo sex change surgery is an important example. It is worth mentioning that in order to support these people, actions such as: reviewing the drafting of a supportive bill for transgender people, providing counseling, providing financial and insurance facilities and attracting support from public institutions, have been taken. In this way, the Islamic Republic of Iran is dealing with this kind of social health phenomenon and, while preventing any humiliation, it is helping them with integrating into the society. It is emphasized that the allegation for persecution or forcing to undergo surgery and shock therapy, etc., is set out in these paragraphs are categorically false and must be deleted in the final version of the report.

Considering the information provided, the inaccuracies in the allegations made in paragraph 77 have also been proven and thus, it should be deleted from the final report.

Conclusion

Reply to paragraphs 78 and 79

Despite the fact that the Islamic Republic of Iran considers the appointment of the Special Rapporteur unnecessary, meaningless and harmful, but in line with the United Nations human rights system and in order to correct the Rapporteur's approach and her drafting of the report on the basis of reliable information, continuous provision of information was in the agenda of the government and the Permanent Missions of the Islamic Republic of Iran in Geneva and New York, as well as senior delegations from the country, have had regular meetings with her. It is recommended that the Special Rapporteur, instead of the inclusion of unreliable and non-verifiable information extracted from interviews with some anonymous and non-impartial individuals in her report, to reflect in the report the cases raised in these meetings, as well as the previous and current responses of the Islamic Republic of Iran. Therefore, the absence of invitation to the Rapporteur can by no means be raised as an excuse for collecting information from largely untrustworthy sources.

We welcome the attention of the Draft to the reform measures of the Islamic Republic of Iran on the reform of the drug law and the pursuit of the implementation of the Charter of Citizens' Rights and the efforts made to reach the development of more developed regions. Such advances should not be affected by the delusional human rights situation in the West.

In the laws of Iran and also in the administrative procedure, everyone, including any government official in each category, committing an act against the laws of the country, including human rights violations, for which the legislator has anticipated a punishment, shall be punishable in accordance with the pertinent law; and there will be no exception between government officials and other citizens.

Reply to paragraph 80

The laws of the Islamic Republic of Iran, guarantee proper and effective investigation of all possible cases of violations of law, including violations of human rights of citizens, regardless of who the perpetrators are. Also, according to Article 38 of the Constitution of the Islamic Republic of Iran, any torture in the country is prohibited and the confessions obtained under torture are void and in accordance with Articles 570, 578, 579 and 587 of Iran's Penal Code, and Article 9 of the Law on the Respect for the Right to Freedom and Protection of Citizens' rights, perpetrators of offenses shall be subject to heavy punishments. Therefore, while

rejecting the allegation of torture, the Rapporteur's suggestion to use more advanced equipment for more effective monitoring of detention centers will be taken into consideration.

Reply to paragraph 81

The Islamic Republic of Iran, as one of the safest and most stable countries in the Western Asia region, ensures the rights of the nation, based on the principles of the Constitution, religious teachings, and within the limits of its internationally accepted commitments and similar to all democratic states, it is determined to protect these rights as well as to ensure the security of its citizens against acts of violence and sabotage. The Iranian government has always responded to the legitimate and legitimate demands of its citizens, including the right to participate in political and social affairs, security, and the right to assembly and peaceful gatherings. The right of protest is recognized and guaranteed in the Constitution of the Islamic Republic of Iran. Article 27 of the Constitution recognizes the establishment of gatherings and marches without carrying weapons, provided that they are not detrimental to the principles of Islam, and that, according to Article 34 of the Constitution, litigation is the absolute right of everyone.
Security and stability in the Islamic Republic of Iran is rooted in religious democracy and is inspired by the people's power and not an imported product. It is emphasized that in recent events, no one has been detained for peaceful protest or mere expression of opinion, and the police force, as officers for maintaining of the society's order and security, who receive the required continuous on-job trainings, demonstrated their ultimate self-restraint and tolerance, which was encouraged by people. It should be noted that, in two stages, a large number of detainees were released without referring them to the Public Prosecutor. In addition to the regulatory authorities, the parliament is also examining the issue, the results which will be announced.

Reply to paragraph 82

In the Islamic Republic of Iran, the death penalty is intended only for the most serious crimes, including mass trafficking of drugs combined with terrorist crimes. Regarding the implementation of the death penalty for criminals under the age of 18 years, as described in the text of the response in an exponential form. Iran's laws apply a great deal of flexibility to offenders under the age of 18, including the need to review their files in special courts and the use of alternative and minimum punishments are stipulated. Article 91 of the new Penal Code stipulates that in cases of crimes punishable by reprisal or Qisas, perpetrators who are under the age of eighteen and do not understand the nature of the crime or do not understand its sanity or there are doubts about their development and maturity of mind, depending on each case, they will be sentenced to other punishments provided for in this law.

Reply to paragraph 83

The President of Iran issued a new law to remove the death penalty for some drug traffickers. Earlier a spokesman for the Guardian Council reported that the Council, at its 26th session, approved the Parliament's resolution after it had been resolved. The bills of this Council were approved by the deputies. According to the final Parliamentary resolution, the death penalty for some drug traffickers will be eliminated, and they will be sentenced to 1 to 30 years imprisonment and fines. By reforming the Counter Narcotics Law, a significant number of drug offenders are rescued from execution, and their sentences are changed to jail. As mentioned, this rule is retrospective

Reply to paragraph 84

In the Islamic Republic of Iran, crimes, including crimes leading to the issuance of death sentences, are prosecuted with special sensitivity in the courts, with the presence of the prosecutor's representative, the accused and his lawyer through convening hearings and fair trial. The structure of the judicial system in Iran is in such a way that it guarantees the fair trial process.

Reply to clause 85

It appears that the successes of the Iranian nation and government in the fight against organized crime and the dangerous sectorian group is not properly reflected in this paragraph. It should be noted that no non-terrorist individual has been executed, and individuals from members of terrorist groups who had played an effective role in committing armed operations were

punished under the law and following completion of the required legal proceedings and investigations. A number of those who had lighter offenses were released after serving their prison term and are presently living their normal life. Many, who have little role in working and cooperating with this group and other terrorist groups, have been dealt with Islamic affection and have not been prosecuted. Therefore, the allegation of mass murder referred to in this paragraph is unfounded. Instead of supporting the false allegations made by the terrorist organization, it is expected that the victims of terrorism will be supported and, in particular, the innocent victims of the terrorist operations of the organization to be protected. There are more than 17,000 victims and the record of each assassination is documented. It should be noted that claims for prosecution of individuals who seek legal advice or make complaints, are false and could be investigated

Reply to paragraph 86

Under Article 38 of the Constitution–of the Islamic Republic of Iran, any torture is prohibited in the country, and according to Articles 570, 578, 579, and 587 of the Iranian Penal Code and the Articles of the stipulations of the Law on the Respect to the Right to Freedom and the Protection of Citizenship, all offenders and other ill-treatment will be subject to severe punishment As for the issue of the use of lash punishments in the Islamic law, it has been considered and stipulated to prevent similar crimes and to reduce the use of sentences of imprisonment, which by themselves, have had major social, moral and economic consequences. Regrettably, this punishment has been interpreted wrongfully, by the West, as a degrading punishment. Also, the physical punishments which are anticipated in the laws of the Islamic Republic of Iran are legislated and legalized, and therefore they are not in contradiction with Iran's obligations under paragraph 7 of the International Covenant on Civil and Political Rights.

Reply to paragraph 87: In addition to the absolute prohibition of torture in the laws of the country, based on Articles 9 and 10 of the single article of the law on respect for legitimate freedoms and protection of citizenship rights, any natural or legal person can file a lawsuit or report to the secretariats of Central or Provincial Supervision Council for Appropriate Law Enforcement, to be carefully and vigorously prosecuted. In addition, periodic inspections of detention centers and prisons have always been carried out by in-house bodies. While, in addition to periodic inspections and the handling of related complaints, Iranian prisons are subject to numerous governmental and nongovernmental supervisions.The visit of several ambassadors and diplomats to the Evin Prison and visiting of an 11-member parliamentary delegation from the National Security and Justice Commissions and particularly their visit of security detainees and Section 209 should be duly taken into consideration.

Reply to paragraph 88

The approach to improving the prisoners' situation has always been on the agenda, and the health, treatment and nutrition of prisoners are being sought. Health units are located in prisons, and standard care is provided, so that prisoners' access to doctors is sometimes much easier and faster in comparison with other people in the community; and all medical treatments for prisoners are provided free of charge. In addition, in the case of special medical requirement, the prisoner shall be dispatched to hospital out of the prison, upon discretion of prison's doctor, and coordination of the judicial authority with the prison supervisor. Also, no group of civil society members, including so-called human rights defenders and political activists, would be excluded from the protection of the law while they comply with legal requirements and do not fall subject to the offenses covered by the abovementioned articles. In addition, according to the Islamic Penal Code, there is no punishment for political activity, so there are no political prisoners in the Islamic Republic of Iran. It should be noted that the editor of the Draft Report should have avoided to put the terrorists and perpetrators of serious security offenses in the list of the so-called political prisoners.

Reply to paragraph 89

Freedom of opinion and expression, media activities and the freedom of peaceful assembly are always supported in the Islamic Republic of Iran. Article 24 of the Constitution, the press law of 1985, with subsequent reviews and amendments, as well as the law on the dissemination and access to information adopted in the 2009 stipulate the freedom of the press right and free access to general information for each Iranian citizen, in accordance with the laws and regulations. Freedom of information circulation is respected by the state's massive investment

to facilitate people's access to information which has resulted in increase of internet users to nearly 50 million people. Therefore, the due attention of the legislator of the Islamic Republic of Iran has guaranteed the provision of freedom of expression and access to information in compliance with the public's rights and only those individuals who, by insulting or abusing the press and harassing people or exposing people's personal information or defamation, committed a verb or a criminal offense are prosecuted and punished.

Reply to paragraph 90

From the point of view of the Islamic Penal Code, there is no punishment for political activity, so there are no political prisoners in the Islamic Republic of Iran. Recently, with the adoption of a political crime bill called the Political Crime Act of 2016 and provision of definitions, attempts have been made to tolerate political activists, in case of an offense or crime by them. In addition, it should be noted that the communication of the Working Group, referred to in this paragraph, had already been answered in detail.

Reply to paragraph 91

In the Islamic Republic of Iran, no one is prosecuted for collaborating with international human rights mechanisms. Again, it should be noted that in the laws of Iran and also in the administrative procedure, everyone committing acts determined by the legislator to entail a punishment through fair trial, will receive a punishment in proportionate to the committed, offense established in the law, and in this connection no exception among citizens.

Reply to paragraph 92

Under the laws of the Islamic Republic of Iran, charges of special sensitivity shall be dealt in the courts with the presence of the prosecutor's representative, the accused and his lawyer through convening of required hearings and observance of fair trial proceedings. The observance of principles such as issuing of arrest warrant at the investigation stage and the principles governing fair trial in the initial stages, appeals, and restitutions and the fair trial rules are all stipulated in provisions of the Criminal Procedure Law. The correct enforcement of is supervised through the Supreme Court, and it shall deal with any deviation from the legal path, without the slightest discrimination; and in the event of an illegal action contrary to the pertinent law, the Court may violate the judgment and re-examine it. The Islamic Revolutionary Tribunal is also a specialized tribunal that, under the law, only has the jurisdiction to deal with certain crimes, including all crimes against domestic and foreign security and all crimes related to smuggling and narcotics, and in no way can deal or consider other crimes outside the framework set forth in the law, and the procedure is similar to that of other courts.

Reply to paragraph 93: Regarding the independence of the judiciary, it is worth mentioning that, in accordance with Principle 156 of the Constitution, the Judiciary is an independent power and, in accordance with Principles 164 and 166, the judicial authority is protected by law and at the same time the judge is obliged to issue a verdict reasonably and on the basis of documents. In addition, ordinary laws, such as the "Criminal Procedure", "Civil Procedure", and regulatory rules, have guaranteed the independence of judges and lawyers at all stages of proceedings, whether they are initial or appeal. The Judiciary is impartial and without the influence of other administrative or legislative Powers, is protected by the Constitution (Chapter 11); and in order to implement the rules of ordinary laws, which have been introduced through democratic process and have been operational, and with cooperation of judicial agencies, carry outs the entrusted duties. The judiciary has taken various measures to improve the efficiency and guarantee of greater independence, by monitoring the performance of the judiciary and affiliated organizations, which is referred to in the text of the response.

Reply to paragraph 94

Ordinary laws, including criminal procedure, civil procedure, and supervisory rules, have guaranteed the independence of judges and lawyers at all stages of proceedings, whether they are initial or appeal. Also, lawyers in Iran have full independence and any probable violations by them is investigated by the Bar Association which is more than 90 years old. Further explanations are given on the independence of lawyers in the text.

Reply to paragraph 95

In addition to protecting women's rights in domestic law, the Islamic Republic of Iran has enacted many of the major human rights treaties, including women's and girls' rights, so that the mere non-alignment to the Convention (CEDAW), to which some other countries have not yet acceded, not to be interpreted as non-compliance with women's rights. In addition, considering the geographical location of the Islamic Republic of Iran, some legal restrictions are introduced for legal consideration, on the movement of women have been planned for the purpose of combating human trafficking and the seduction of women and girls. It should be noted that the coverage requirements are not specific to women and include men, which, of course, vary in scope. Regarding the age of marriage in some parts of the country due to climatic conditions, physical and mental maturity has occurred at the beginning of adolescence and it causes individuals to establish a family unit, while at the same time it is noted that the average age of marriage in Iran is now 27, for men, and 25, for women. Cultural efforts have also been directed toward optimal marriage age management.

Regarding the suitability of a woman's occupation and the need for permission of the spouse, the legislator emphasizes that this condition is mutually exclusive for men, and that a wife can prevent a man from engaging in a disadvantaged family job. Regarding the citizenship of the offspring of Iranian women married to foreign nationals, in this connection (i. e. determination of the nationality of children born of Iranian marriages with foreign nationals) the civil law has once made revisions in 2006 and it has given new privileges to these women, observing the national interests and the interests of the children. Again, this year, a draft has been sent, by parliamentarians to the Commission of Councils and Internal affairs of the Parliament for addressing the issue. It was confirmed and referred to the Parliament's Judicial Commission. The draft is currently under consideration and will be submitted to the Executive Board after approval by the commission. It should also be pointed out that mere non-adherence to a convention, to which some other countries have not acceded, should not be a precondition for women's status in a country. It should also be noted that the bill referred to (increase of population and preventing birth decreased) has not yet been ratified and it is in the working program of the parliament.

Reply to paragraph 96

In the Islamic Republic of Iran there is no religious or cultural belief is discriminated in violation of the rights of religious minorities, as according to Article 19 of the Constitution, the people of Iran enjoy equal rights from any tribe and tribe. In this regard, it has always been tried to ensure that the rights of all individuals of the religious faiths are guaranteed in accordance with the law. As detailed in the reports and official documents of the Iranian government, in addition to their political in high level of decision-making and observance of legal protections for them, there are numerous provisions and programs stipulated for religious minorities. Also, people belonging to sects enjoy the rights of the citizen in the framework of the law. In addition, in the laws of Iran and also in the administrative procedure, anyone committing acts entailed by the legislator to bear a punishment, regardless belief of the perpetrator, and after a fair trial and exhaustion of legal proceedings, he/she is punishable.

The appropriate situation of ethnic groups and their political, economic, social and cultural status, and the guarantee of respect for citizenship rights for all Iranian citizens, are repeatedly presented in the form of official reports of the Islamic Republic of Iran with relevant documentation which can be referred. Meanwhile, in the laws of Iran, individuals are punishable for committing an unlawful act, and has nothing to do with the perpetrator's ethnical affiliation.

Reply to paragraph 97

Based on the Islamic Law and the laws of the Islamic Republic of Iran as well as the culture and the current customs in society and the importance of the institution of family, the unconventional acts, conflicting them, such as homosexual tendencies, are completely rejected. Allowing transgender people to undergo sex change surgery is an important example. It is worth mentioning that in order to support these people, actions such as: reviewing the drafting of a supportive bill for transgender people, providing counseling, providing financial and insurance facilities and attracting support from public institutions, have been taken

Final Considerations

The designation of a country-specific human rights Rapporteur for a country like Iran that is consistent with its obligations toward its citizens and the international community is fundamentally unnecessary. In addition, the mechanism of the country's Rapporteur, at the United Nations, must be based on professional, just, impartial, fair and non-political principles. It should be noted that the Human Rights Council has been established to prevent double-standard behaviours, and that the UPR mechanism is to be based on the equal treatment with all countries; Hence, such a mechanism should not be weakened by parallel actions. Therefore, the Islamic Republic of Iran believes that the appointment of the Special Rapporteur for this country is unjustified on the basis of the provided reasons, and it is unacceptable because of non-fulfillment and observance of the above-mentioned characteristics.

- The Islamic Republic of Iran, with a serious intention to engage and cooperate with international mechanisms, has responded to all paragraphs of the draft report. Also, all the cases specified in the draft have been answered, and in the case of some individuals mentioned in the draft, inquiries have been made to the competent authorities which, due to the lack of time, shall be provided upon receiving replies from them. Referring to the statistics of 7 responses from 9 communications in the current report, of the Rapporteur, shows a rate of 77% of response and an indication of Iran's constructive and expanding cooperation with the Rapporteur and other Special Mandate Holders.

- In the present answer, the Islamic Republic of Iran has provided extensive information on the promotion of the human rights situation, and calls for its inclusion in the final report, and in many cases, given the availability of adequate information, requests for the removal or allegations. In observance of her duties, set forth in the assignments of the Rapporteurs, we hope that these replies are adequately reflected in the final report.

- In response to the Draft Report of the Special Rapporteur to the 72nd General Assembly, she was requested to amend 21 items and delete 34 paragraphs as mentioned hereunder; which, unfortunately, were not considered and the allegations contained in the final version were repeated in paragrahs 30, 34, 39, 44, 50, 51, 52, 53, 58, 63, 68, 76, 84, 85, 89, 94, 98, 102, 103, 104, 105 and removal of the parts: 6, 15, 17, 22, 31, 32, 45, 46, 54, 55, 57, 60, 61, 68, 69, 71, 72, 73, 76, 80, 81, 83, 86, 89, 90, 91, 92, 93, 95, 96, 97, 99, 100 and 103.

- Despite numerous remarks by the Government of the Islamic Republic of Iran, to the last draft reports of the Special Rapporteur, on the need for condemnation of the anti-human rights sanctions against Iranian citizens, the Special Rapporteur finally raised, although late, the harmful effects of sanctions on the rights of Iranian citizens. Nevertheless, the Special Rapporteur is expected , in the light of the document (A / HRC / RES / 27/21) and in cooperation with the Special Rapporteur on unilateral measures, to draw up a final report detailing the harmful effects of illegal and anti-human rights, which have affected the rights of the public of Iranian citizens. And further denounce the sanctions.

It is surprising that a country with the development of Iran, whose democratic system, with reliance on religious rationality, reliance on people's votes, holding numerous elections and power rotation between the various parties, runs the country well and achieves its sublime goals and further social, cultural, and economic development, to be subjected to attacks and unfair accusations because of the independence of its foreign policy and opposition to hegemony and domination of some western countries, in particular the United States; and also receive continuous human rights resolution in the years after the victory of the Islamic revolution; while these countries commit gross violations of human rights inside and outside their territories, and even have close allies who have not tolerated democracy and are fully reactionary, or have been involved in aggression and killing of innocent children. But, in the shadow of their support, they are not seriously criticized by international human rights mechanisms.

- The formation of the model in this report, which is referred to in this respond, as the model of weakening democracy, has been repeated in various parts of the world and has failed in Iran, which has to be seriously taken into consideration due to the nature of its human rights. International human rights mechanisms, including the Special procedures, are no exception to this rule and it is necessary for them to act in their due direction in support of democracies established in developing countries.

Unfortunately, in paragraphs 14, 23, 27, 51, 57, 58, 59 and 60, the word "pattern", in paragraph 22, the word "mass murder, in paragraph 71, the word "systematic" and in paragraph 70, the word "regime" is incorrectly used; which are necessary to be deleted in the final document.

- As the Rapporteur has acknowledged, the adoption and implementation of the new law on drugs has significantly reduced the number of executions of drug offenders. The thirty-year-old performance of the Islamic Republic of Iran has shown that through identifying necessities, it has always sought to formulate appropriate and efficient laws, and this process will continue as necessary.

- Unfortunately, the prejudices and hasty judgments contained in the draft report aim to lessen the legal and practical progress made in the country. It should be noted that the various legal and practical developments in the country, referred to in various paragraphs specifically, indicate the process of progressing and realization of justice which guarantees the observance of the rights of the accused more effectively, without discrimination.

- Despite the fact that several attempts have been made in the draft, and a large volume of actions are being criticized, it is clear from the information provided that they are ordinary cases which are dealt with in accordance with legal requirements, and thus mentioning them in the report, in addition to making it a long report, provides a false image of the human rights situation in Iran; while there are frequent similar cases in all countries and the handling of crimes is commonplace.

-The draft of the present report, which is the latest and the last report by the Special Rapporteur, is not based on the principles of reporting and the presentation of a balanced text based on the impartiality and avoidance of prejudices, specified in Resolution 2.5. It should be noted that the contents of a report should be based on verified information or on matters that are relevant to their respective judicial processes within the country. The report should not be a turbulent and careless compilation, including allegations made by newspapers and non-competent, non-relevant websites or sources that are known for publishing fake news reports or to depend on fake news released by terrorist organizations.

In particular, it is expected that the rapporter, on the basis of her mandate, would4. after receiving officially approved information, usefully observe the principles of fairness and impartiality, and refrain from providing personal interpretations and biased orientation, and do not reflect groundless allegations, based on the interpretation of situations. This is evident in many paragraphs in the present draft, which is requested in each paragraph of the current reply, to be amended or removed.

- The Special Rapporteur was expected, in addition to using trustworthy sources, to take into consideration the official country responses provided on a regular basis, in particular to previous and documented responses to the earlier reports of the rapporteurr to the thirty-fourth session of the Human Rights Council, as well as the seventy-second meeting of the Third Committee of the General Assembly. Thus, it is required that in the final report she practically include the provisions of the previous replies and the current one. It is also necessary to insert the response of the Islamic Republic of Iran, in the final report, after each paragraph, in accordance with the rules of the Special Procedures.

- Despite the progress made and despite the acknowledgment of some of them, the draft has unfortunately been initiated by unconventional and prejudicial statements and it has expressed its concern over the issues that present a misleading picture of human rights issues in Iran.

- Despite the structural and form weaknesses in the drafting, due to the progress and modification of procedures and practices in the reporting period, some of which are welcomed by the Rapporteur, it is expected that the pre-emptive approach to be amended and modifies in the final report, providing the opportunity for further interaction with the reporter.

- The amount of progress made in the laws and promotion of the performance of the Islamic Republic of Iran in the past few years, regardless of prejudice and the presentation of biased commentary in the draft, is the best evidence of the unsubstantiation of monitoring the issue of human rights in the Islamic Republic Iran, and these developments should also be addressed by the Human Rights Council.

- The Government of the Islamic Republic of Iran, with the precision and interest, while engaging and participating in all relevant sectors, recognized 63% of the recommendations during the second UPR cycle from the legal, political, economic, social and cultural point of view and it has been on the path to its implementation. Obviously, according to the UPR mechanism, countries are responsible for accepted recommendations.

- The draft Report has cited numerous statements and press releases of the Special Procedures and the Office of the High Commissioner on numerous occasions. Many of these cases have

already been adequately addressed by the Islamic Republic of Iran and have been criticized for their urgent issuance before being consulted by the relevant government. It is expected that before the finalization of the present draft, the Islamic Republic of Iran's replies to the above-mentioned effectively.

- In the present Draft, the unpredictable assertions have been unequivocally hypothetical and based on interpretations. Also, in some cases, there are opinions on uncompleted prosecutions, which are unacceptable.

- In the Draft Report, undocumented cases (such as paragraphs 12, 22, 23, 27, 33, 35, 37, 38, 39, 54, 56, 57, 59, 61, 69, 70, 75, 76, 77) and numerous unrealistic statistics (such as paragraphs 13, 19, 21, 23, 25, 31, 33, 72) are raised which should be removed from the final report.

- In conclusion, it is expected that tha above-mentioned facts and information to be included, properly, in the final report of the Special Rapporteur.